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MINISTER'S MONITORING COMMITTEE ON CHANGE IN THE DEPARTMENT OF NATIONAL DEFENCE AND THE CANADIAN FORCES

INTERIM REPORT — 1999

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National Defence Défense nationale

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NOTE TO READER

This report deals with progress achieved with respect to the implementation of decisions taken by the Government to introduce change within the Canadian Forces and the Department of National Defence. The *Minister's Monitoring Committee* has reviewed progress to date regarding decisions by the Minister of National Defence to implement changes recommended in:

- Report to the Prime Minister on Leadership and Management in the Canadian Forces (Minister of National Defence and Minister of Veterans' Affairs)
  Recommendations accepted from that report are prefaced in this document with "MND"

- Report of the Special Advisory Group on Military Justice and the Military Police Investigation Services (chaired by former Chief Justice Brian Dickson)
  Recommendations accepted from that report are prefaced in this document with "Dickson 1"

- Report on Quasi-Judicial Role of the Minister of National Defence (Special Advisory Group on Military Justice and Military Police Investigation Services)
  Recommendations accepted from that report are prefaced in this document with "Dickson 2"

- Report of the Commission of Inquiry into the Deployment of Canadian Forces to Somalia (Somalia Commission of Inquiry)
  Recommendations accepted from that report are prefaced in this document with "Som"

- Report of the Special Commission on the Restructuring of the Reserves (chaired by former Chief Justice Brian Dickson)
  Recommendations accepted from that report are prefaced in this document with "SCRR"

- Report of the Military Police Services Review Group (chaired by the Lieutenant-General Charles H. Belzile)
  Recommendations accepted from that report are prefaced in this document with "Belzile"

The above recommendations accepted by the Minister and reviewed by the Committee are reproduced at the end of the applicable chapters in this report.

Contents | Introduction and Overview

CHAPTER 1 — INTRODUCTION

Since the *Monitoring Committee*'s first *Interim Report* last November, the Department of National Defence (DND) and the Canadian Forces (CF) have continued to implement the very ambitious reform program undertaken over the past few years. Indeed, the Department's *Report on Plans and Priorities,* tabled in the House of Commons in April 1999, ranks the implementation of the reform program being monitored by this *Committee* fifth in its list of corporate priorities, after maintaining the operational effectiveness of the CF, responding to new challenges, procurement and quality of life. This is, in the *Committee*'s view, the proper order of priorities for the Department. We also recognize that the Department is working on the reform program within the context of a constantly pressured resource base and an unpredictable pace of operational demands. The Department and CF are also engaged in a number of other 'change initiatives', including management renewal, Alternative Service Delivery and gender integration. While the *Monitoring Committee* will not comment on these initiatives directly, we acknowledge that the areas of reform under examination here do not exist in isolation from other programs. Despite the conditions within which the Minister's reform program is operating, the *Committee* urges the Department and the CF to stay the course, because the beneficial effects of renewal are already becoming evident.

In the later chapters of this *Interim Report,* the *Committee* makes a number of observations on the overall management and direction of the reform program. We provide here a brief synopsis of some of these for consideration by the public and the defence team.

Many members of the Department and the CF have generated substantial activity and expended a good deal of effort in implementing the recommendations which the Minister accepted from the various inquiries and reports under this *Committee*'s mandate. Some of the effort, however, may not produce results that will effect reforms clearly reflective of the Minister's decisions. The *Committee* commented on some specific cases of this nature in its first *Interim Report,* and continues to do so here. We have observed that at least part of the reason for the sometimes tenuous link between decision and activity is the combination of uncertainty about the status of ministerial directives, the lack of centralized, strategic guidance for the program and the tendency to re-interpret the meaning and intent of accepted recommendations so as to fit within the pattern of current activities or accommodate some assumed constraints on achieving change. This is particularly evident in areas such as: the mandated reductions in the size of the general officer corps; the production of a national mobilization plan; and the bringing into force of the provisions of the amended *National Defence Act* (NDA). The Department reports that all of these are completed. In our view, however, they either do not meet the requirements of the original ministerial decision or have not yet been implemented.

There should be no uncertainty within the defence organization about the status of the Minister's decisions. They are being tracked individually by the office of the Vice-Chief of the Defence Staff (VCDS), and are being treated by the Department as directives. However, the Department should make it known throughout the chain of command that the implementation of this program, under the terms decided upon by the Minister, is to be executed in a meaningful and vigorous manner. A Canadian Forces General Order was issued in this respect at the outset of this *Monitoring Committee,* describing its mandate. To the

Committee's knowledge, however, a more direct order concerning the implementation of the program itself has not been issued. Such lack of direction from the very top of the Department and the CF may explain why aspects of this program which involve the definition and articulation of critical conceptual principles, such as accountability, ethics, leadership attributes, the difference between education and training and the role of the Reserves, were not completed and embraced in a corporate manner before the derivative activities were initiated. Put simply, the activity 'cart' got before the conceptual 'horse' in many cases, so that much of the completed work may have to be revisited to reflect later refinements in the fundamental philosophical underpinnings of the program. The Department's noteworthy revisiting of the internal communications portion of its Public Affairs Policy, mentioned in chapter two of this report, is an example of corrective action made necessary because a clear understanding of the overall purpose of reform was not provided at the outset. We expect to see other such corrections in the future.

The *Committee* remains concerned that the Department and the CF have pursued the reform program without a clear vision of where they want to be and how they will arrive there. Certainly, there is evidence that various pieces of the reform 'puzzle' are being solved, but the pace and imagination underlying the solutions appear to vary widely throughout the organization. For instance, delays in the implementation of some elements critical to the complaint resolution system, such as the Ombudsman, the Grievance Review Board and the Military Police Complaints Commission have thrown into doubt the seriousness and determination of the leadership to effect the reforms they represent. Such potential erosion of confidence in leadership could ultimately dampen the effectiveness of the renewal program put into motion by successive Ministers of National Defence.

Policy and legislative changes are necessary but not sufficient to achieve reform. To illustrate, the new *National Defence Act* received Royal Assent on December 10, 1998. The intent of reform embodied in the new Act can not be realized, however, until that Act isproclaimed. Many of the positive changes envisioned for the CF and the Department await enabling regulations, and there has been some delay in key areas, some of which affect the sweeping changes to improve service and accountability within the Military Police. It is very important that the completion of regulations be given the highest priority to ensure that the ambitious program of reform to our military justice system becomes a reality. Similarly, the members of the Grievance Review Board should be apppointed without delay, so the new grievance system can be put in operation within the next few months.

The *Committee* believes firmly that a successful renewal program depends first and foremost on dynamic leadership to drive the necessary transition in attitude and culture among the current defence team and to instil it among those who will be the leaders of the future. This is particularly true, although not exclusively so, of the officer corps and civilian management. In its 1998 *Interim Report*, the *Monitoring Committee* stressed the importance of a focused and effective education, training and development program as an engine of change. We called on the senior leadership of the CF to participate actively in the 'visioning' of the kind of officer needed in the future so that clear and timely guidance would be available for planning staffs, and to give vigorous support to the reform of the education, training and development system, including the necessary financial and staff resources.

We are pleased to note that a good deal of activity has been taking place at individual educational and development institutions to review and modify their curricula and learning methods, in support of the directions for change called for by the Minister. Examples of these initiatives are elaborated upon in chapter five, but we note that they have resulted largely from 'local initiatives' at the institutions in response to the Minister's change program and other perceived needs to modernize. Little or no direction was received from Ottawa on the strategy for change, although the activity has been given support and its general content and orientation has been influenced by statements from the Minister, the Chief of the Defence Staff (CDS) and other leaders. The proposed revisions to the Officer General Specifications, the common elements of which were approved in the summer of 1998, were also used as a guide. Moreover, an Enhanced Leadership Model, concentrating on improvements to the training and development of new entry officers, was approved early in 1999. An implementation model is now being developed, with the intention to have the Model in operation in 2000.

A number of important initiatives designed to produce strategic guidance for training and education, and especially for the Officer Development Program, are still in the early stages. Among them are the articulation of the meaning of accountability in the CF (discussed in our *Interim Report* of November 1998), work on the visioning of the characteristics and qualities required of officers in the future, development of a Code of Ethics including the concepts of self-analysis and self-improvement in a professional officer corps, and the development of a Centre for Leadership and Ethics, based at the Royal Military College, which will conduct research on the subject of leadership. Most of these initiatives will proceed under the leadership of a Special Adviser on Officer Professional Development, at the lieutenant-general level, who was appointed in February 1999 and will report directly to the CDS.

The *Monitoring Committee* is very supportive of these recent initiatives which promise to bring focus and commitment to the reform of the selection, education and development system which is such a key part of the change process. We regret, however, that these strategic planning activities were not put in place earlier. The result has been that the 'local initiatives' to reform education and development, commendable in themselves, are running ahead of much of the strategic guidance on what they should be aiming to achieve, and they will require further changes as the strategic guidance becomes available. There will tend to be some uncertainty and tentativeness in the reform of the education and development process until the results of the strategic planning are in place.

The *Monitoring Committee* therefore urges DND and the CF to give as much priority as possible to these strategic planning initiatives and to accelerate them so that clear and focused guidance will become available for all elements of the education and development system at an early date. The purpose and goals of the reform program must be articulated and communicated broadly, and its success assured by repeated confirmation by the leadership of their commitment to it, and by their willingness to explain what it is for and how it is to be achieved.

Contents | Openness and Disclosure Issues

CHAPTER 2 —
OPENNESS AND DISCLOSURE

A Culture of Openness | Public and Parliamentary Debate | ***Recommendations***

A Culture of Openness (MND 57, 58, 59, 60, 61, 62; Som 39.3)

Decisions

In March and October 1997, the Minister made several decisions intended to increase the ability and willingness of the Department to be more transparent in dealing with the public. These decisions involved the promulgation of revised communications policies, and greater public exposure for the Canadian Forces (CF). The Minister's initiatives included a commitment to process Access to Information (ATI) requests more expeditiously, to improve the Department's Internet site and to issue a document that establishes a standard for effective and open public communications. He emphasized that the culture of openness must be encouraged by example from the top level of the organization, namely, the Deputy Minister (DM) and the Chief of the Defence Staff (CDS).

Status

In its first *Interim Report*, the *Monitoring Committee* outlined departmental initiatives to enhance and improve its public affairs policies and practices. Progress has continued in this area, but the *Committee* notes that the Department is still reviewing and amending *Queen's Regulations and Orders* (QR&Os) and *Canadian Forces Administrative Orders* (CFAOs) relevant to public communications. The DND/CF Legal Advisor indicates that there is no technical conflict between the new Public Affairs Policy and existing regulations regarding freedom of expression, since the new Public Affairs Policy is a CDS order, and therefore provides adequate authority for expression within the current regulatory framework. The Legal Advisor's current priorities involve the completion of military regulations required to implement the amendments to the *National Defence Act* (NDA), which received Royal Assent on December 10, 1998, but has not yet been proclaimed into force.

How the Department and the CF see themselves and communicate that image to the public is a significant element in a culture of openness and transparency. To that end, the Department has begun to produce military lifestyle videos, occupational lifestyle videos, a Basic Officer Training Course video and an advertising/recruitment campaign. Resource demands brought on by the implementation of recommendation **MND 22**, which involved the extension of basic training by two weeks (see chapter five), have curtailed the recruitment budget significantly. Also, the implementation of recommendation **MND 10** (see chapter five), which requires new officers to have a university degree, has caused a change in recruiting plans for officers. A communications strategy has been developed and the CF will continue to emphasize the corporate responsibility for attracting quality members into its ranks.

The *Committee* expressed concern in its 1998 *Interim Report* that internal communications did not appear to be addressed adequately by the new Public Affairs Policy or, at that time, the Department's Draft Strategic Communications Plan. The Department's *Report on Plans and Priorities* for 1999-2000 addresses this issue, and the Director General Public Affairs (DGPA) is tackling this problem head-on.

DGPA now publishes the *Maple Leaf* bi-monthly, has enhanced its Intranet (DND's internal 'internet') site to improve communications between Headquarters and the field, and is piloting an internal video system. Within the next year, DGPA will continue to bolster these initiatives.

Observations

The *Monitoring Committee* expressed concern in its last *Interim Report* that CF members face a potential Catch-22 in that they are given permission in the new Public Affairs Policy to talk openly about their jobs, while existing regulations place several restrictions on free expression. The regulations have not been changed, and the *Committee* urges the DND/CF Legal Advisor to deal with the problem as soon as possible (see chapter three).

The *Committee* has also noticed that, while the Department's Internet site, D-Net, is in many ways excellent, there have been extended delays in updating and constructing various areas of the web site. Indeed, the site itself has been recently overhauled, and the section dealing with the Department's "Commitment to Reform" no longer exists. This has diminished the Department's ability to communicate some significant achievements and ongoing activity to the public.

The *Committee* observes that the Department is under increasing pressure to provide a growing volume of responses to *Access to Information Act* (ATI) and *Privacy Act* requests. Recent media attention, and a critical report from the Access to Information Commissioner, has contributed to that pressure. Senior leadership has given solid direction on the matter of leading by example and communicating the importance of compliance not only with the letter but the spirit of *ATI* legislation. However, the increased complexity of *ATI* requests to the Department has caused some delays in departmental processing of requests. While the Department has hired additional staff to deal with this issue, the complexities of security and defence related material necessarily make the careful review of information to be released critical and sensitive. The *Committee* urges the Department to continue to improve its *ATI* system in that context.

The *Committee* is pleased that the Department is continually seeking to improve internal communications. Senior management has identified what appear to the salient deficiencies in the area, including 'NDHQ-centric thinking' and the communications gap between leadership and the rank and file of the defence team. As the volume of information available to CF members and civilian employees increases, so does the importance of the institution disseminating its *raison d'être,* vision and ideals in a consistent and articulate manner. The *Committee* urges leadership at all levels to grasp these concepts in a committed and meaningful way. It is possible for senior leadership to be distracted by day-to-day issue management, or 'putting out fires' as the problem is identified within the organization, but those in positions of authority must find a way to work in a constructive manner to create and communicate a vision of the Department and CF. The *Monitoring Committee* strongly recommends that senior leadership take ownership of the aforementioned concepts, and develop strategies to deliver the message to the entire organization. This would not be a wasted exercise. Indeed, it would benefit the Canadian military in terms of its public persona, internal efficiency and, we would suggest, its operational efficiency — the number one priority of the Department and the CF as identified in the *1999-2000 Estimates — Report on Plans and Priorities.*

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Public and Parliamentary Debate (MND 63, 64, 65)

Decisions

In March 1997, the Minister announced his intention to ensure that the Department and the Canadian Forces are responsive to the need for Parliamentarians to keep informed of defence-related matters. To that end, the Department was to take steps to enhance the role of Parliament and its committees in their consideration of security issues. The Minister also directed the CDS to prepare an annual report on the state of the Canadian Forces, which the Minister would submit to the Standing Committee on National Defence and Veterans Affairs (SCONDVA).

In an effort to promote further public and scholarly debate of defence-related issues, the Minister decided to create a departmentally-funded military journal with its own editorial board, to be based at the Royal Military College (RMC) in Kingston. The journal, once established, would publish articles by military and civilian specialists on Canadian security and defence.

Status

In its first *Interim Report,* the *Monitoring Committee* outlined several departmental initiatives to improve the flow of information to Parliament. A minor re-organization which has since been implemented allocates one cell within Director Parliamentary Affairs to focus on Question Period alone, while the others address remaining issues.

Progress on the military journal has stalled. Staff at the Royal Military College (RMC) anxiously await approval of the journal's recommended editorial policy by Group Principals/ members of the Defence Management Committee. Staff of ADM (HR-Mil) have the responsibility for following through on the required actions.

Observations

The *Monitoring Committee* is satisfied that the recommendations concerning the improvement of the processes by which the Department provides information to Parliament have been implemented. The *Committee* will however, continue to observe whether these changes have resulted in the originally intended results, in light of the increased attention defence-related issues have received in recent months.

In terms of public debate on defence issues, the *Committee* urges the Department to address the outstanding matters relating to the military journal. This is particularly important because it has received an extensive amount of attention in the defence community, and has been mentioned as a priority in the Department's *Report on Plans and Priorities* for 1999-2000. Delays in approval of the editorial policy and title of the journal may delay both the hiring of an editor and publication of the first issue by the target date of December 1999. The *Committee* urges the appropriate staff at ADM (HR-Mil) to clear the path for the publication of the journal as soon as possible.

As the capstone doctrinal policy forum of the CF, the journal must be considered a litmus test of the CF's stated intent to embrace education and intellectual debate on Canadian defence issues. Any further delays in making the journal operational could be viewed by critics as a failure to pass that test.

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RECOMMENDATIONS

MND 57: **Put in place a communications and public affairs policy to ensure these principles are embedded in the day-to-day operations of the Department and the Canadian Forces through initiatives such as community- and media-outreach programs.**

MND 58: **Increase the public visibility of the Canadian Forces by improving the quality of communications material, revamping the Department's Internet site and establishing a comprehensive and co-ordinated public information and education program.**

MND 59: **Provide a clear and accurate picture of the Canadian Forces that will serve as the basis for a recruitment campaign emphasizing the unique challenges that a life in the military can offer.**

MND 60: **Process access to information requests more expeditiously. To meet the added workload, staff was increased by 30 percent during the 1995-96 fiscal year; personnel resources devoted to this activity increased by a further 8 percent in 1996-97 and will rise by another 12 percent in 1997-98.**

MND 61: **Make available a reading room to provide access to electronic holdings of documents released in response to access to information requests and ensure that the Department's Internet site includes a listing of the documents that have been released.**

MND 62: **Review military regulations and issue by year's end a document clarifying the procedures that assure transparent and effective communications with the public.**

MND 63: **Create a Department-funded military journal with its own editorial board, based at the Royal Military College. The journal will publish articles by**

military and civilian specialists on Canadian security and defence.

MND 64: **Continue to work to enhance the role of Parliament and its committees in their consideration of security issues and, in particular, ensure that the Department and the Forces are responsive to the need for Parliamentarians to be well informed in a timely manner.**

MND 65: **Have the Chief of the Defence Staff prepare an annual state of the Canadian Forces report which the Minister of National Defence will submit to the Standing Committee on National Defence and Veterans Affairs.**

Som 39.3: **The Department of National Defence take the following steps to promote openness and transparency:**

a. **require the Deputy Minister of National Defence and the Chief of the Defence Staff to**
    i. **instil by example and through directives the importance of openness in responding to requests made under the *Access to Information Act;***
    ii. **ensure that military and civilian personnel in the Department of National Defence are better trained to respond to *Access to Information Act* requests, particularly with regard to legal obligations and procedures; and**
    iii. **ensure that staff fully understand the requirement to report, as a significant incident under existing regulations, any suspected document alteration or improper response to *Access to Information Act* requests;**
b. **begin consultations with the Information Commissioner, within three months of the submission of this report to the Governor in Council, to determine the most effective way of improving departmental responses to *Access to Information Act* requests; and**
c. **ensure that public affairs policy and practices reflect the principles of openness, responsiveness, transparency and accountability expressed throughout this report.**

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CHAPTER 3 —
ACCOUNTABILITY ISSUES

Strengthening of Accountability | Improved Complaint Resolution |
Free Expression of Opinion | ***Recommendations***

Strengthening of Accountability (MND 50, 51; Som 15.3, 16.3)

Decisions

The Minister released, in March 1997, a document entitled *Authority, Responsibility and Accountability* to help all personnel understand how the work of the Department of National Defence is conducted and the roles they play within its authority and accountability structure.

In October 1997, the Minister cited the promulgation of this document as a response to the recommendations of the Somalia Inquiry that "formal criteria (be adopted) for accountability of leaders in the CF", and agreed with their further recommendation that the values, principles and processes of accountability be incorporated in education and training programs.

Status

The *Monitoring Committee*, in its 1998 *Interim Report*, drew attention to the lack of an adequate statement of the principles of accountability in the Canadian Forces (CF) and of the processes whereby an accountability regime should operate. We described these deficiencies as serious and urgent, because a clear articulation of the meaning and purposes of accountability is essential to a proper realignment of the education and training system which, in turn, is essential to the success of the change program.

Work is now under way to address this problem. The Department of National Defence (DND) plans to revise and reissue in 1999 the document *Authority, Responsibility and Accountability* with a strengthened and expanded section on the meaning and purposes of accountability in the CF and a description of how accountability should be practiced. Publication of a simplified handbook on the same subject, for very wide distribution in the CF, is also planned.

Observations

The *Monitoring Committee* is pleased to see that DND and the CF are taking action on this important matter and urge them to pursue it vigorously so that the new documents can be produced within the next few months.

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Improved Complaint Resolution (MND 8; Som 16.6-16.11)

Decisions

The Somalia Inquiry made a number of recommendations to deal with any cases of intimidation and harassment related to the Somalia deployment and the appearance of witnesses at the inquiry. These included amendments to the *Queen's Regulations and Orders* (QR&O) to provide for special Career Review Boards (CRB), that the boards include members from outside the military, that the boards' decisions be subject to parliamentary or judicial review, that mechanisms for redress be available where findings of reprisals or adverse career implications warrant and that career progression of these individuals be monitored and reported for five years.

While endorsing the intent of the Inquiry to enhance the principles of independence, impartiality, transparency, objectivity and protection from retribution, the Department did not consider additional procedures, committees, reports and amendments to *QR&O* necessary in view of mechanisms already in place or underway.

The Minister announced in October 1997 that, although he did not accept the appointment of an Inspector-General as recommended by the Somalia Inquiry, the following initiatives would be taken to achieve the purpose of protecting the interests of CF members who make complaints or report wrongdoing:

- Appointment of "a DND/CF organizational Ombudsman... with access to the Minister, the CDS and the DM, independent of the chain of command, accessible to all members of the CF and DND without fear of retribution, and capable of addressing either individual or systemic problems."
- Improvements to the internal grievance procedure to reduce the number of levels, speed up decision-making, and provide a more effective grievance process.
- Amendment of the *National Defence Act* to establish an independent grievance review board to make recommendations to the CDS on the final disposition of grievances. (This modified the decision of the previous Minister that the board would be "the final arbiter" in the grievance process.)
- Introduction of an alternative dispute resolution mechanism to assist in the resolution of issues before they become a formal complaint or a grievance.

Status

Regarding the Minister's response to the Somalia Inquiry's concerns about the career paths of those who offered testimony during its proceedings, the Department reports that the current Career Review Board process is outside the influence and control of the direct chain of command and that transparency is achieved through the complete disclosure to the individuals of information reviewed and the right to make representations. If the individual is not satisfied with a response to a CRB or other decision, he or she may complain using the existing grievance system through successive levels of the chain of command to the CDS. Members also have access to the Canadian Human Rights Commission (CHRC) when other avenues of redress have failed. Other measures to protect the interests of CF members who make complaints or report wrongdoing have been described in the *Committee*'s 1998 *Interim*

Report.

With the approval by Parliament of the revised *National Defence Act* in December 1998, the way has been cleared for the establishment of the CF Grievance Board and the implementation of measures to streamline the grievance process in the CF. The role and function of the CF Grievance Board and the new streamlined procedures for dealing with grievances in the CF were summarized and commented on favourably in our *Interim Report* of November 1998. The *Monitoring Committee* noted that the target date for the implementation of the new grievance process was July 1999, and encouraged DND to do what was necessary to hold to that schedule.

The Department has told the *Monitoring Committee* that the new grievance process will not in fact be in place in July 1999. The Regulations governing the operations of the Board have been drafted, and the CF Grievance Manual is nearly ready. Moreover, staff and financial resources to service the new system have been provided. But the designation and appointment of members of the Grievance Board are still pending, and it is anticipated that the new Board will need several months after their appointment to organize themselves and become operational.

The organizational Ombudsman, who was appointed in June 1998, submitted to the Minister in January 1999 a proposed mandate and operational blueprint for his Office. This submission followed several months of consultations by the Ombudsman inside and outside DND and the CF and a study of how the Ombudsman function operates in the military organizations of other countries.

Since January 1999, discussions have been ongoing between the Ombudsman and DND/CF about the proposed mandate and how it will be carried out. Terms of Reference for the Ombudsman were announced by the Minister on June 16, 1999, and the Ombudsman declared that his Office would become operational immediately. The Minister also announced that the Ombudsman's Terms of Reference would be subject to review in the light of experience during the first six months.

A new program of alternative dispute resolution is to be introduced within the next 18 months.

Observations

The *Committee* has reviewed the status of a number of Somalia Inquiry witnesses who remain in the CF. It was noted that several had been promoted since their appearance before the Inquiry, while the remainder appeared to experience the normal variations in performance assessment that occur during changes of jobs and supervisors. None had submitted a grievance related to the area in question.

Regardless, the *Committee* continues to hear of individuals who have come forward on other matters and now believe they are being disadvantaged, or who will not come forward because they fear the repercussions for themselves or others. Until such measures as the Office of the Ombudsman and the CF Grievance Review Board are fully operational and an improved climate of trust has been established, these concerns are likely to continue.

The *Monitoring Committee* has therefore been concerned about the delay in implementation of these two key components of the complaint resolution process. We welcome the announcement in June 1999 that the Terms of Reference for the Ombusdman have been established and that his Office will now become operational. The *Committee* will monitor closely the operations of the Office in the next few months, and expects to comment on them in its final report late in 1999. We urge DND and the government to appoint the Chair and members of the CF Grievance Board as soon as possible, so the Board and the streamlined grievance process can become operational this year.

The *Committee* reiterates its belief that the new grievance system and the responsible implementation of the role of organizational Ombudsman, within the context of a DND/CF committed to identify and resolve legitimate grievances and correct systemic unfair practices, will contribute to a more coherent and more effective organization, and will strengthen the command system by demonstrating its readiness to effect change when the case is made that change is needed.

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Free Expression of Opinion (Som 16.12)

Decisions

The Minister accepted the recommendation of the Somalia Inquiry that Articles **19.36** and **19.37** of *Queen's Regulations and Orders* should be amended to ensure that the freedom of expression of members of the CF will be respected to the fullest extent possible.

Status

In its 1998 *Interim Report*, the *Monitoring Committee* suggested an immediate need for new guidance on public information and freedom of expression to resolve the conflict between the *Queen's Regulations and Orders* (QR&O) **19.36** and **19.37** and the March 1, 1998 Public Affairs Policy for the CF and DND. The former effectively prohibit members of the CF from disclosing to the public any military information or opinions on any military subject, whereas the latter empowers, indeed encourages, CF members and DND employees to speak openly about what they do.

The Department has acknowledged that further work is necessary both to clarify the guidance on disclosure of information and to establish clear rules on expression of opinion in the light of existing policies for other public servants, the *Canadian Charter of Rights and Freedoms,* and applicable court decisions. This work is to be undertaken once the main revisions to *QR&O*s in respect of military justice are finalized. In the meantime, DND takes the position that the issuance of the Public Affairs Policy under the authority of the CDS and the DM represents a valid permission from the CDS to CF members to disclose information, as allowed by *QR&O* **19.37**, despite the prohibitions in *QR&O* **19.36**.

Observations

The *Monitoring Committee* welcomes the intention of DND to follow through on these matters. This should be done as soon as possible because the present regime respecting public disclosure, while technically and legally correct, does not provide the clear and easily understood guidance that CF members should have.

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RECOMMENDATIONS

MND 8: **Set up an office of Ombudsman outside the chain-of-command under the authority of the Chief of the Defence Staff and the Deputy Minister before the end of the year. The Ombudsman will provide information, advice and guidance to all personnel, military or civilian, in need of help or who believe they have been treated improperly.**

MND 49: **Ensure that military advice conveyed to the Minister and the Cabinet is, in future, clearly identified as such in all appropriate documents.**

MND 50: **Clarify accountability to the Deputy Minister and the Chief of the Defence Staff among senior staff along lines of primary responsibility.**

MND 51: **Issue a guidance document entitled *Authority, Responsibility and Accountability* to help our military and civilian personnel better understand how the work of National Defence is conducted and the role they play.**

MND 52: **End the practice of having both the Deputy Minister and the Chief of the Defence Staff sign memoranda, except for documents dealing with issues for which they each clearly have equal responsibility.**

MND 53: **Make appropriate changes to existing regulations that were enacted under the *National Defence Act* to ensure complete harmony with other legislation on the management of public organizations.**

MND 54: **Ensure that the nature and functioning of an integrated national headquarters are taught in all management courses and fully explained through internal communications.**

MND 55: Include in courses for senior military officers a component specifically designed to teach them how to operate effectively in an integrated civil-military headquarters.

Som 15.3: The Chief of the Defence Staff adopt formal criteria for the accountability of leaders within the Canadian Forces derived from the principles of accountability set out in Chapter 16 of this Report, and organized under the headings of accountability, responsibility, supervision, delegation, sanction and knowledge.

Som 16.2: The Chief of the Defence Staff and the Deputy Minister of National Defence institute a comprehensive audit and review of:

a. the duties, roles and responsibilities of all military officers and civilian officials to define better and more clearly their tasks, functions and responsibilities;
b. the adequacy of existing procedures and practices of reporting, record keeping, and document retention and disposal, including the adequacy of penalties for failures to comply; and
c. the duties and responsibilities of military officers and departmental officials at National Defence Headquarters in advising Government about intended or contemplated military activities or operations.

Som 16.3: The Chief of the Defence Staff incorporate the values, principles and processes of accountability into continuing education of officer cadets at the Royal Military College and in staff training, command and staff training, and senior command courses. In particular, such education and training should establish clearly the accountability requirements in the command process and the issuance of orders, and the importance of upper ranks setting a personal example with respect to morality and respect for the rule of law.

Som 16.5: The *National Defence Act* be amended to require a mandatory parliamentary review of the adequacy of the act every five years.

Som 16.11: A specific process be established, under the purview of the proposed Inspector General, designed to protect soldiers who, in the future, bring reports of wrongdoing to the attention of their superiors.

Som 16.12: **The *Queen's Regulations and Orders* Article 19 and other official guidelines and directives be amended to demonstrate openness and receptivity to legitimate criticism and differing points of view, so that members of the military enjoy a right of free expression to the fullest extent possible, consistent with the need to maintain good order, discipline, and national security.**

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DISCIPLINE

General (Som 18.4, 18.5, 18.8)

Decisions

To remedy deficiencies in existing practices, the Minister confirmed that the Chief of the Defence Staff (CDS) would formally evaluate the policies, procedures and practices that guide and influence the administration of discipline in the CF (**Som 18.8**). While the recommendations in **Som 18.4** and **18.5** pertaining to ADM (HR-Mil) and the Inspector General were not accepted, the objectives would be achieved through other means.

Status

The *Dickson Report* on Military Justice raised a concern similar to that in **Som 18.8** and recommended that the Judge Advocate General (JAG) review and report annually to the Minister of National Defence (MND) on the overall effectiveness of the military justice system throughout the CF (see chapter six). Such a report, in combination with reports by the CDS, the Ombudsman, the Military Police Complaints Commission, the CF Grievance Review Board and the CF Provost Marshal (CFPM), would ensure an appropriate focus on discipline at all levels of the CF. As well, it would ensure the thorough and fair administration of discipline throughout the CF.

Observations

The 1997-98 CDS *Annual Report on the State of the CF* contained a short paragraph on discipline, with information limited to incidents resulting in courts martial. The CF Provost Marshal 1997 Annual Report was released in May 1998. The statistical overview, which depicted data and information on six categories of offences for 1996 and 1997, was of particular interest. Monthly reports of CF National Investigation Service (NIS) activity are continuing. In the May 1999 CDS *Annual Report of the Chief of Defence Staff 1998-1999*, there is again information on courts martial but nothing dealing with discipline per se.

The *Committee* understands the reluctance of the CF to establish a focal point for discipline at NDHQ as this would impinge upon the responsibilities of leadership. Nevertheless, a series of reports presents a rather piece-meal approach to the issue. The *Committee* is therefore pleased to hear of a JAG proposal for a structure "which will contribute to and influence the formulation of policy, stimulate and invigorate the development of processes/changes, inspire and drive the orderly evolution of the system and sustain it over the long and short term." That proposal has been supported by Armed Forces Council (AFC) and endorsed by the Minister, and implementation is under way. The structure would include a Military Justice Stakeholders Committee to provide a forum for the review of military justice policy and process at the strategic level, a Canadian Forces *Code of Service Discipline* Committee, an all-civilian Advisory Panel on Military Justice and a Military Justice Roundtable Group internal to the CF.

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Training and Education (Som 18.2)

Decisions

In October 1997, the Minister announced that the importance, function and application of discipline would be taught in all officer leadership training, including Royal Military College (RMC), staff and command college courses, and senior command courses.

Status

Initially the CF stated that the intent of the recommendation had been met, because discipline was an integral component of all CF Professional Development Programs. Nevertheless, a commitment was made to consider additional and focused emphasis on discipline during reviews of the curricula of RMC, the Canadian Forces College and other military institutions conducting leadership training.

The *Committee* has been advised that recommendation **Som 18.2** has been merged with **MND** recommendations **11**, **12** and **31** and will be addressed under the aegis of Professional Development Renewal being undertaken by Canadian Forces Recruiting, Education and Training System (CFRETS) and scheduled for completion in June 2000.

Observations

While discipline has indeed been part of the officer and Non-Commissioned Member (NCM) general specifications, these documents are presently under revision, with the Officer General Specifications (OGS) having been approved by the Officer Professional Development Council in June 1998 and by AFC in May 1999. Individual environments must still devise their own specific requirements. The new OGS now includes, under the performance requirements for leadership and command, a category dedicated to tasks, skills and knowledge related to discipline.

In late 1998, the JAG produced an extensive report that analyzed existing discipline-related training and education and recommended a comprehensive discipline training/education strategy for the CF. The report specifically addresses the intent of **Som 18.2** in a number of areas, including the training and education of senior officers, which had received little attention in the past. Some of its 12 recommendations were already addressed in reports being monitored by this *Committee*. Examples include certification training for commanding officers (COs) and delegated officers, pre-command training and the inclusion of material on discipline and operations in the Canadian Forces Staff College courses and the Advanced Military Studies Course (AMSC). The *Committee* notes that suggestions to incorporate discipline-related topics on the National Security Studies Course (NSSC) have not been adopted and supports the JAG position that the issue be reconsidered.

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Operations (Som 18.6, 18.7)

Decisions

The Minister directed the CDS to establish in doctrine and in practice that discipline be identified as a determining factor in assessing the operational readiness of any unit and formation, and that, during operations, all officers and Non-Commissioned Officers (NCOs) monitor discipline closely.

Status

The Deputy Chief of the Defence Staff (DCDS) reports that, in determining the operational readiness of units and formations, a number of factors are currently assessed, including the condition of personnel. An evaluation of the state of personnel includes an assessment of discipline, based on the performance objectives set out in *NDHQ Instruction 5/96 Training Requirements for Peace Support Operations.*

As part of their general responsibilities, officers and NCOs are required under *QR&O* **4.02** and **5.01** to "report to the proper authority any infringement of the statutes, regulations, rules, orders and instructions governing the conduct of any person subject to the Code of Service Discipline." The requirement for commanders to report on discipline is also included in the *DCDS Instructions to Commanders of CF Deployed Operations,* with key aspects of this information to be reported in the CDS *Annual Report on the State of the CF.*

Observations

As noted in chapter four of the *Monitoring Committee*'s 1998 *Interim Report,* the Commanding Officer (CO) is responsible for the administrative screening and preparation of unit personnel for operational deployments. This involves, *inter alia,* screening for social and behavioural suitability, including discipline-related factors as outlined in *NDHQ Instruction 4/96 Screening, Preparation and Training for Peace Support Operations,* and preparation through the DCDS-mandated training in *NDHQ Instruction 5/96.* Thus, the *Committee* is satisfied that the intent of the recommendation has been met when the CO declares the unit operationally ready through the chain of command, although this has not been verified during a field visit.

The *Committee* has reviewed the relevant portions of the *DCDS Instructions to Commanders of Deployed Operations.* These instructions state that "all personnel throughout the chain of command shall be held accountable for infractions of established policies." In the case of alcohol-related incidents, for example, all must be investigated to determine if there was a failure of leadership that may have contributed to the occurrence, with results of the investigations and action taken forwarded to the DCDS. The lines of disciplinary authority in-theatre are clearly delineated within the national chain of command.

Task Force Commanders are required to report to the DCDS at regular intervals and on completion of the appointment. These reports and others such as the daily/weekly situation reports and Contingent Commanders' end of tour reports address significant disciplinary matters where appropriate. In addition, NDHQ conducts in-theatre Staff Inspection Visits (SIV) to help identify and resolve problems and verify compliance with procedures, orders and instructions. Discipline is included in the personnel section of the SIV checklist. DCDS also receives copies of *Records of Disciplinary Proceedings* from Contingent Commanders, and semi-annual information from the JAG on disciplinary matters, all of which assist staffs in identifying trends and problem areas.

The *Committee* observes that serious efforts are being made by the DCDS and staff to meet the requirements of the recommendation. Further discussion on operational readiness and disciplinary Standards during deployment is included in chapter seven.

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PERSONNEL APPRAISAL

General (MND 25, 26; Som 18.1, 20.4)

Decisions

The Minister announced in March 1997 that a new personnel appraisal system would be implemented that year, and would, *inter alia:*

- establish a clear separation of the evaluations of actual job performance and potential for promotion; and
- impose a closer control over the quality of personnel appraisals and their timely submission.

In his October 1997 response to the Somalia Inquiry, the Minister also directed the CDS to institute an official policy identifying self-discipline as a precondition for promotion to leadership positions. He also stated that good discipline would be an explicit criterion in promotion and assessment decisions.

Status

The *Committee* commented briefly on the Canadian Forces Personnel Appraisal System (CFPAS) in its 1998 *Interim Report*.

Since the last report, there have been a number of changes to CFPAS, both in form and process, as a result of questions and concerns from the field. Commands have issued direction to their units regarding additional review procedures, environmental issues and timings, all with a view to ensuring that this initial effort goes smoothly.

At NDHQ, CFPAS Personnel Evaluation Report (PER) software will be used to monitor the scoring of every PER and identify inflationary or deflationary trends by rank, military occupation classification (MOC) and unit. Analysis of the results will be available to the promotion/terms of service (TOS) selection boards. They in turn will report any difficulties with CFPAS encountered during their deliberations.

CFPAS for senior officers (colonel/captain (N) and above), referred to as the Executive Personnel Appraisal System (EXPAS) in our last report, remains under development, and will be implemented for general and flag officers concurrently with the federal government's evaluation for senior public servants. In the interim, PERs will be prepared using the form for lieutenant-colonels and below, and in accordance with annual direction from the CDS. The same form will be used to assess chief warrant officers and chief petty officers first class.

Observations

The *Committee* is encouraged that CFPAS is continuing to evolve, even before the first round of the process has been completed. The information provided through the PER software should be useful to the chain of command when monitoring PER quality. Feedback from the selection boards regarding the performance versus potential conundrum will be of particular interest.

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PER Content (MND 9; Som 15.1, 15.2, 18.3, 20.2)

Decisions

In addition to the Minister's direction that a formal statement of values and beliefs be integrated into performance assessment activities, the Somalia Inquiry made a number of recommendations which were accepted by the Minister. These included: the adoption of formal criteria, along the lines of those in the Inquiry Report, for orienting the assessment of leaders; the assessment of self-discipline and the application of discipline; and the recording of poor conduct or performance on the PER.

Status

The *Committee* has been informed that the CF ethos statement, which contains many of the same criteria mentioned by the Commissioners, has been included in the performance assessments of CF members at all levels. In addition to the core attributes, CF members are assessed for reliability, accountability, conduct on-and-off duty and initiative.

Observations

There is a correlation between the performance and potential factors in CFPAS PER and the core qualities, attributes and performance factors listed in the Somalia Inquiry Report. The terminology of the CFPAS factors may differ from that of the Somalia Report, but the relationship becomes clear when studying the *Word Picture Booklet.*

A relationship can also be found in the CDS guidance for assessing colonels and above that has been issued annually since 1997, and in the limited information available on the proposed CFPAS for senior officers. Monitoring in this area will continue.

The Somalia Inquiry Commissioners categorized self-discipline as a core quality of military leadership and the application of discipline as an indicative performance factor. In CFPAS, the latter clearly falls under the supervising assessment factor in the leadership category. Self-discipline is not so clearly defined. Rather, it comes into play in a number of factors, from setting an example to working with others, effectiveness under demanding circumstances and reliability, as well as in the leadership potential factor. This approach is probably wise, as it allows for consideration of environmental differences. However, the *Committee* must point out that it does not meet the requirements of the decision regarding self-discipline.

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SELECTION

Command and Senior Appointments (Som 20.10)

Decisions

The Minister stated that a formal selection process would be applied across the CF to ensure that only the best candidates are selected for command and senior leadership positions.

Status

Since the *Committee*'s 1998 *Interim Report,* initiatives to establish a formal selection process for command and senior appointments have been progressing in all three environments. The role of the selection boards is expanding to include succession planning, as well as the identification of high potential performers and the professional development they require to maximize that potential. This shift is quite apparent in the army which, at its last board, established professional development lists for language, post-graduate and university training, and for senior courses such as the Advanced Military Studies Course (AMSC).

The navy has had command selection boards for many years, and, not surprisingly, provided the most detailed guidance for the board members. Here too, the process has evolved to ensure that characteristics and capabilities beyond operational proficiency are considered; for example, personal characteristics including ethical conduct now form part of the assessment of potential.

An Air Force Personnel Advisory Committee monitors and advises on the development, selection and assignment of officers, using a multi-year perspective. As the Command and Senior Appointments Review Board, it ensures that those officers recommended to the Chief of the Air Staff (CAS) for appointment to CO positions in the coming year meet the necessary leadership, ethical and competency prerequisites. Criteria established to determine the suitability of candidates include performance, potential, leadership, fitness, professional development, education, language and mobility.

Observations

The formal selection process is still evolving, with guidance given annually by environmental staffs in convening orders and briefings to the boards prior to their deliberations. The navy has signified its intent to amend an existing Maritime Command Order to formalize this guidance. Others may wish to do the same when the process has stabilized.

Although NDHQ intended to publish a Defence Administrative Order and Directive (DAOD) on the subject, it now appears that necessary direction will be incorporated into a Director General Military Careers Standard Operating Procedure, which is expected to be completed within the next year.

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Succession Planning (MND 29, 56)

Decisions

The Minister announced in March 1997 that the CF would begin to implement a policy whereby generals and flag officers with 27 years or more of service would have a fixed-period contract of approximately three years, at the end of which they would be offered either another contract, with or without promotion, or they would retire.

In addition, to enhance the effectiveness of the defence team, he stated that officers with potential for promotion to senior ranks would be provided with appropriate exposure to the integrated national headquarters early in their career.

Status

The CF reports that it is formulating junior and senior officer succession plans to enhance the identification of training, appointments and promotions of selected officers, including general/flag officers, to meet CF/DND needs.

HR-Mil staffs have developed a tool called the Professional Development (PD) Algorithm. It will take into account all significant aspects of a person's career and the professional qualifications required to progress, thus providing career managers, the chain of command and individuals with a better understanding of where the individual is in his or her career and what is needed for advancement. It will also form the foundation of a succession planning tool that will provide career managers with the ability to plan six years in the future. The PD Algorithm underwent a development test during staff college selection and will be further refined in consultation with the Commands, if necessary.

All officers on promotion to colonel/captain (N) are reminded of the provisions of *QR&O* 15.17 — *Release of Officers — Age and Length of Service,* Part (1) (b) of which states that colonels and above may be released on completion of 30 years of service. This, in effect, provides the mechanism to implement **MND 29**. Generals and flag officers with 27 years or more of service could be released after an additional three years, or could continue to serve, depending on the results of the review of their performance and potential conducted during the annual selection boards established in response to **MND 28**.

Observations

Succession planning is closely linked with performance appraisal and the various selection boards held in conjunction with that process, particularly at the Command level and during the senior promotion boards at NDHQ.

The PD Algorithm is a promising tool which should assist both in succession planning and in identifying and developing the careers of the leaders of the future. This would include those officers selected for employment at NDHQ, for whom a wider range of environmental staff employment is available now that the Environmental Chiefs of Staff (ECSs) are located at the integrated headquarters.

The *Committee* notes that contracts per se are not being used in the succession planning process for generals and flag officers. Nevertheless, we believe that existing regulations, properly applied, provide the flexibility necessary to meet the intent of **MND 29**.

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Terms of Service (MND 23)

Decisions

In order to identify CF members whose performance is inadequate, the Minister stated that the CF would review more closely the performance of all members at the end of their first engagement — six years for NCMs, nine years for officers — and decide on contract renewal.

Status

In 1996, the CF introduced the Canadian Forces Career Development Plan (CFCDP) to replace the former terms of service plans for officers and NCMs. This applies uniformly to all ranks and MOCs, with greater emphasis on individual performance at all stages of the member's career. Implementation has taken longer than expected, with all aspects not forecast for completion until September 1999.

A major change involves giving COs the authority to grant intermediate engagements (IE) to officers, as done in the past for NCMs. Previously, officers who were eligible for IE were considered by a central terms of service (TOS) selection board.

Closely linked with CFCDP is the review of MOCs to determine TOS conversion rates. This review is expected to be completed in late September 1999.

Observations

The intent of devolving authority to COs to grant intermediate engagements (IE) to officers at the nine-year point apparently is to allow the chain of command more control over and accountability for the officer IE conversion process. How this control and accountability will be exercised is not entirely clear; for example, during periods of force reductions, MOC shortages, or when the decision is later seen to have been inappropriate.

The onus will be on the CO to determine, in consultation with appropriate authorities such as the career manager and medical officer, whether the member meets the established eligibility criteria for re-engagement/conversion, such as minimum medical Standards for the MOC, satisfactory performance and conduct, motivation for service life, employability, fitness and any Command/Military Authority-imposed requirements. The decision will presumably be made on staff and personal knowledge and information in the unit file. Unfortunately, this file does not contain PERs which are a valuable tool in assessing "the whole person", particularly for officers whose PER file would cover a longer period than that of NCMs.

Nevertheless, the *Committee* believes that the approach taken through CFCDP should not be detrimental. As in so many other areas, leadership is the key, and the responsibility to review the performance more closely clearly rests with the leader — the CO.

As CFCDP is still coming into effect and implementing directives have not yet been promulgated, the *Committee* will continue to monitor this recommendation.

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Composite Units (Som 20.6)

Decisions

The Minister agreed with the recommendation that composite combat arms units such as the Canadian Airborne Regiment (CAR) have formalized selection criteria and that COs have maximum freedom in selecting personnel for the unit and in employing them appropriately.

Status

While no composite combat units exist at present in the CF, they remain an operational necessity. Therefore, ECS staffs have been given clear direction on the preparedness of all operationally assigned units in the *CF Operations Manual* (CFOM), chapter seven "Task Force Organization", and chapter ten "Peace Support Operations."

The *Committee* has also been advised that career managers work very closely with unit COs to ensure homogeneity and effectiveness of assigned personnel, whom the COs may then employ as they see fit to meet the unit's assigned missions and tasks.

Observations

The *CFOM* provides general guidance regarding composite units forming part of a task force on operational missions. The selection process for the personnel assigned to the units would likely be similar to that described in the *Committee*'s 1998 *Interim Report,* chapter four, "Screening for Deployments" section.

The *Committee* believes that the selection of personnel for Joint Task Force 2 (JTF2) may provide greater insight into how the Commission's recommendations have been implemented. JTF2 has been described in the media as "Canada's elite commando unit" (*Ottawa Citizen,* November 4, 1998). Like the CAR, JTF2 is a special unit with unique requirements in terms of leadership and personnel, mostly comprising volunteers.

Unlike the CAR, all candidates undergo a stringent screening and selection process. Those being considered for the highest category positions must be recommended by their CO on the basis of job performance, overall character, and details of any financial, disciplinary, personnel or administrative issues that might affect suitability. They must then successfully pass screening by an itinerant team and a board, and a further six-day selection process to assess if the candidates are likely to succeed during the training phase and whether they have the personnel attributes required for their role. Individual and group tasks test the candidates' psychological profile, interpersonal skills and problem solving ability. Officers undergo additional assessment following completion of the six-day process.

A selection board comprised of senior NDHQ officers reviews the files of candidates nominated for CO JTF2. Criteria and personal attributes considered are leadership, experience, maturity, vision, commitment and fitness. The board's recommendation is approved by the DCDS on behalf of the CDS.

Unit Boards interview candidates for senior officer and NCO positions and pass their recommendations to the CO, who then makes the selection. The CO also personally interviews all officer candidates. Selection criteria for senior leadership positions are similar to those for the CO selection board plus any expertise specific to the position.

The *Committee* believes that the intent of the recommendation is being met in JTF2. However, the CF should monitor selection procedures closely to ensure they are not diluted and that the incumbents of senior positions are chosen strictly on merit, rather than on other considerations, such as regimental or branch affiliation. Monitoring by this *Committee* is complete.

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Screening of Applicants (Som 20.10)

Decisions

The Minister accepted the recommendation that DND and the CF clarify their position on the extent of their obligations under applicable privacy and human rights laws in screening applicants and members of the CF for behavioural suitability, including racist group affiliation.

Status

The CF is conducting research on instruments suitable as selection tools during the screening of CF applicants. While many critics often question the utility of pencil and paper personality tests in eliminating persons with undesirable characteristics, these do supplement the professional judgment of military career counsellors (MCC) and recruiters during face-to-face interviews. Efforts are also under way to improve the structured interview process.

Observations

The *Committee* has examined the content of the annual two-week National Recruiters' Course for personnel newly assigned to recruiting duties. The common training portion of the course covers subjects such as recruiting attitude, human rights/employment equity, diversity and inter-gender/inter-race relations. MCCs receive extensive training in the theory and practice of interviewing.

The Recruiting System is undergoing refinement in its screening protocols to ensure only those applicants with the highest probability of success are enrolled. The *Committee* will continue to monitor progress in this area.

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Screening for Deployments (Som 20.7)

Decisions

The Minister accepted the recommendation that *Canadian Forces Administrative Orders* (CFAOs) **20-50** and **20-46**, which deal with the screening of CF personnel for overseas deployments, be amended to:

- place priority on discipline as a criterion for selecting personnel for overseas deployment;
- make consideration of the behavioural suitability indicators mandatory; and
- make it clear that although the behavioural suitability indicators listed in *CFAO* **20-50**, as well as the option of referring cases for assessment by behavioural specialists, can assist COs in screening personnel for deployment, they in no way displace or qualify COs' responsibility or accountability for screening personnel under their command.

Status

In its first *Interim Report,* the *Committee* noted the length of time being taken to publish information on this subject in a more current and permanent form, such as a DAOD. The *Committee* has been informed that this document is unlikely to be published before the end of 1999. *CFAOs* **20-50** (1986) and **20-46** (1989) with amending CANFORGENs remain in effect.

Observations

At a time when the CF's operational tempo remains at a high level, it would seem prudent to have orders governing administrative procedures that are as current and concise as possible. Therefore, the *Committee* is disappointed with the lack of progress in this area.

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DIVERSITY

Education and Training (Som 20.12)

Harassment; Diversity Training

Decisions

The Minister accepted the recommendation that DND/CF establish regular liaison with anti-racist groups to obtain assistance in the conduct of appropriate cultural sensitivity training and to assist supervisors and commanders in identifying signs of racism and involvement with hate groups.

Status

In its 1998 *Interim Report,* the *Monitoring Committee* noted in some detail the Department's efforts to deter racism and harassment, focussing on the Standard for Harassment and Racism Prevention (SHARP). The CF reports that as of March 31, 1999, phase one of the SHARP program has been completed, with 94,515 people trained over the last two and one-half years. The training will continue on an as-required basis for those who enter the Department without receiving basic training. The effectiveness of the program is being validated and appropriate revisions will be made where required. Training for harassment advisors and harassment investigators is also being explored.

Other education initiatives include a standardized briefing package on sexual violence, including sexual harassment, that is being delivered by JAG officers to units across the country, as well as training materials for inclusion in the Officer Professional Development Program (OPDP) 4 and the pre-command course.

Completion of SHARP training for Cadet Instructor Cadre (CIC) and Civilian Instructors was advanced from March 2000 to March 1999. Development of a Cadet Harassment and Abuse Prevention (CHAP) program is underway through the auspices of Consulting and Audit Canada and the Canadian Red Cross. A Senior Review Board, chaired by the VCDS, with representatives from internal CF stakeholders as well as the CHRC and the Secretary of State for Children and Youth, has been established to oversee development of the program. DCadets plans to implement CHAP program training at Cadet Summer Training Centres for summer 1999, and at the local unit level in the fall.

In addition to the screening of CIC officers at recruiting centres and of civilian instructors by COs, the air, army and navy co-sponsors of the Cadet program are introducing screening procedures for their members who have contact with cadets.

With the completion of SHARP phases one and two, emphasis is shifting to diversity training. For example, the CDS Guidance Book for new COs is to contain a section on diversity that will cover multiculturalism, gender and cultural awareness and harassment. As mentioned under **Som 20.10**, the National Recruiters' Course includes periods on diversity. The Advanced Military Studies Course (AMSC) includes analysis of the cross-cultural aspects of leadership as part of the Professional Studies curriculum. Diversity training forms part of the Leadership in a Diverse Army project. The aim of the training is to contribute to the elimination of attitudinal barriers in the employment of women (the major focus), as well as Aboriginals and visible minorities. Training sessions are to be delivered to all Land Force Command personnel until March 31, 2000.

Observations

The *Committee* is pleased with the progress made by those responsible for the Cadet Movement in meeting the need for a program to combat harassment and abuse. If successful, it should alleviate the concerns of everyone involved in the Movement, including the families of cadets.

The *Monitoring Committee* is unable to comment on the effectiveness of the Army Diversity Training Program at this time. Area commanders are required to report quarterly to the Chief of the Land Staff (CLS), summarizing the course evaluations by participants and identifying problem areas. However, the training methodology of 'chain teaching', that is, each successive level of the chain of command teaching the next lower level down to sub-sub-unit level, could be problematic. Although trained facilitators and appropriate leadership must be present during training sessions, the ability of the instructor to communicate the proper messages will be critical to the success of the program.

In its report of October 1998, SCONDVA made two recommendations related to harassment and discrimination in the workplace and requested that annual reports be made to that committee (recommendations 85 and 86). The recommendations were accepted. In addition, in November 1998 the Minister created the Minister's Advisory Board on Gender Integration and Employment Equity in the CF, which will identify problem areas related to the effective employment of women, Aboriginal Peoples and visible minorities and recommend solutions where appropriate. The Advisory Board will also produce an annual report.

The *Committee* believes that the issues being monitored in this section will also arise during the deliberations of the Advisory Board and in the reports noted above. Therefore, our monitoring of recommendations will focus on racism and racist activity.

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Racism/Racist Conduct (Som 20.9)

Decisions

The Minister accepted the recommendation of the Somalia Inquiry that the CF continue to monitor racist group involvement and affiliation among CF members.

Status

Since the *Committee*'s 1998 *Interim Report*, one new case of racist conduct has been reported, and this did not involve affiliation with a racist group. The member was counselled.

Observations

The *Committee* is satisfied that the requirements of this decision are being met.

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RECOMMENDATIONS

MND 9: **Produce by June 1st a formal statement of values and beliefs to be integrated into all recruiting and training programs, professional development activities and performance assessments of members of the Canadian Forces at all levels.**

MND 23: **Review more closely the performance of all military members at the end of their first engagement — six years for non-commissioned members, nine years for officers — and make a determination whether or not to renew their contracts.**

MND 24: **Clarify by August 30th, 1997 the experience, educational and training requirements for promotion to various rank levels for the different military occupational classifications.**

MND 25: **Establish a clear separation of the evaluation of actual job performance and potential for promotion. This will ensure that a fair report will be given to good performers who have either little potential for, or no interest in, promotion.**

MND 26: **Impose a closer control of the quality of personnel appraisals and their timely submission.**

MND 27: **Immediately reinstate the practice of including participants representing other military occupational classifications and services on promotion boards in order to enhance objectivity.**

MND 28: **Establish, commencing this year, formal merit boards for promotion to the rank of major-general/rear-admiral and lieutenant-general/vice-admiral. These boards will each, for the first time, include a high-ranking public servant from outside the Department of National Defence.**

MND 29: Begin to implement this year a policy whereby, in the future, all generals and flag officers with 27 years or more of service will have a fixed-period contract of approximately three years. At the end of that contract, they will either be offered another contract of specified duration, with or without promotion, or retire from the Canadian Forces.

MND 30: Apply across the Canadian Forces a formal selection process to ensure that only the best are selected for command and senior leadership positions.

MND 56: Provide officers with the potential for promotion to senior ranks with appropriate exposure to the integrated national headquarters early in their career.

MND 59: Provide a clear and accurate picture of the Canadian Forces that will serve as the basis for a recruitment campaign emphasizing the unique challenges that a life in the military can offer.

Som 15.1: The Chief of the Defence Staff adopt formal criteria, along the lines of the core qualities of military leadership, other necessary attributes, and indicative performance factors set out in Chapter 15 of this Report, as the basis for describing the leadership necessary in the Canadian Forces, and for orienting the selection, training, development and assessment of leaders.

Som 15.2: The core qualities and other necessary attributes set out in Chapter 15 of this Report be applied in the selection of officers for promotion to and within general officer ranks. These core qualities are integrity, courage, loyalty, selflessness and self-discipline. Other necessary attributes are dedication, knowledge, intellect, perseverance, decisiveness, judgement, and physical robustness.

Som 16.6: The *Queen's Regulations and Orders* be amended to provide for a special and more effective form of military career review procedure to deal with cases of intimidation and harassment related to the Somalia deployment and this Commission of Inquiry.

Som 16.7: **Such special career review boards be entirely independent and impartial committees and contain representation from outside the military, including judges or other respected members of the larger community, to ensure transparency and objectivity in this process.**

Som 16.8: **Decisions of these special career review boards be subject to a further effective review by a special committee of the House of Commons or the Senate or a judge of the Federal Court.**

Som 16.9: **In the event that a finding is made that reprisals have occurred and career advancement has been adversely affected, a mechanism for redress be available.**

Som 16:10: **For the next five years, an annual report reviewing the career progression of all those who have testified before or otherwise assisted the Inquiry be prepared by the Chief of the Defence Staff for consideration by a special committee of the House of Commons or the Senate.**

Som 18.1: **The Chief of the Defence Staff institute an official policy on screening aspirants for all leadership positions, beginning with the selection of master corporals:**

- **a. Identifying self-discipline as a precondition of both commissioned and non-commissioned officership; and**
- **b. Providing for the evaluation of the individual in terms of self-discipline, including the ability to control aggressive and impulsive behaviour.**

Som 18.2: **The Chief of Defence Staff ensure that the importance, function and application of discipline be taught in all officer leadership training, including Royal Military College, staff and command college courses, and senior command courses.**

Som 18.3: **The Chief of the Defence Staff modify the performance evaluation process to ensure that each individual's standard of self-discipline is assessed in the annual performance evaluation report form, along with the individual's performance in applying discipline when exercising authority.**

Som 18.6: **The Chief of Defence Staff establish in doctrine and practice that discipline be identified as a determining factor in assessing the operational readiness of any unit or formation.**

Som 18.7: **The Chief of the Defence Staff establish in doctrine and practice that during operations, all officers and non-commissioned officers must monitor discipline closely; and that the head of personnel oversee and, at the end of each mission, report on discipline.**

Som 18.8: **To remedy deficiencies in existing practices, the Chief of the Defence Staff undertake regularly a formal evaluation of the policies, procedures and practices that guide and influence the administration of discipline in the Canadian Forces.**

Som 20.1: **The Chief of the Defence Staff enforce adherence to the following principles in the Canadian Forces promotion and appointment system:**

a. **that merit be a predominant factor in all promotion decisions; and**
b. **that the operational needs of the Service always have priority over individual career considerations and administrative convenience.**

Som 20.2: **To remedy deficiencies in existing practices, and to avoid minimization or concealment of personnel problems, the Chief of the Defence Staff modify the Performance Evaluation Report system to ensure that a frank assessment is rendered of Canadian Forces members and that poor conduct or performance is noted for future reference by superiors (whether or not the matter triggers formal disciplinary or administrative action).**

Som 20.3: **The proposed Inspector General conduct periodic reviews of appointments to key leadership positions in the Canadian Forces to ensure that the proper criteria are being applied and that such appointments are as competitive as possible.**

Som 20.4: **The Chief of the Defence Staff ensure that good discipline is made an explicit criterion in all promotion and appointment decisions.**

Som 20.5: **The Chief of the Defence Staff develop formal criteria for appointment to key command positions, including unit and sub-unit commands, deviation from which would require the formal approval of the Chief of the Defence Staff.**

Som 20.6: **The Chief of the Defence Staff ensure that, for any future composite combat arms unit (such as the Canadian Airborne Regiment):**

a. formalized criteria for selection to the unit are established;
b. the Commanding Officer have maximum freedom in selecting personnel for that unit; and
c. the Commanding Officer have maximum freedom to employ personnel as the Commanding Officer deems appropriate.

Som 20.7: ***Canadian Forces Administrative Orders* 20-50 and 20-46, which deal with the screening of Canadian Forces personnel for overseas deployments, be amended to:**

a. place priority on discipline as a criterion for selecting personnel for overseas deployment;
b. make consideration of the behavioural suitability indicators mandatory; and
c. make it clear that although the behavioural suitability indicators listed in *Canadian Forces Administrative Order* 20-50, as well as the option of referring cases for assessment by behavioural specialists, can assist commanding officers in screening personnel for deployment, they in no way displace or qualify commanding officers' responsibility or accountability for screening personnel under their command.

Som 20.8: **The Chief of the Defence Staff develop and issue clear and comprehensive guidelines to commanders at all levels regarding prohibited racist and extremist conduct. The guidelines should define and list examples of racist behaviour and symbolism and should include a list and description of extremist groups to which Canadian Forces members may not belong or lend their support.**

Som 20.9: **The Canadian Forces continue to monitor racist group involvement and affiliation among Canadian Forces members.**

Som 20.10: **The Department of National Defence and the Canadian Forces clarify their position on the extent of their obligations under applicable privacy and human rights laws in screening applicants and members of the Canadian Forces for behavioural suitability, including racist group affiliation.**

Som 20.11: **The Department of National Defence and the Government of Canada review their security policies and practices to ensure that, within the limits of applicable privacy and human rights legislation, relevant information concerning involvement by Canadian Forces members or applicants with racist organizations and hate groups is shared efficiently and effectively among all responsible agencies, including the chain of command.**

Som 20.12: **The Department of National Defence and the Canadian Forces establish regular liaison with anti-racist groups to obtain assistance in the conduct of appropriate cultural sensitivity training and to assist supervisors and commanders in identifying signs of racism and involvement with hate groups.**

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CHAPTER 5 — LEADERSHIP ISSUES

Leadership Standards | Officer Education | Officer Professional Development | Values and Ethics | ***Recommendations***

Leadership Standards (Som 15.1-15.4; MND 21)

Decisions

In October 1997, the Minister made several statements in response to the Somalia Inquiry's concerns about Standards of leadership in the CF. First and foremost, he decided that the selection, training, development and assessment of officers would be based on formalized criteria as laid out in chapter four of this *Interim Report*. These core qualities would also apply to the promotion of officers to and within the general officer rank. Furthermore, the Chief of the Defence Staff (CDS) was tasked with devising formal criteria for accountability of CF leaders based on the principles discussed in chapter three of this report. The Minister decided that principles and criteria laid out by the Somalia Inquiry would determine the selection, screening, promotion and supervision of personnel, training (basic and continuing), the enforcement of disciplinary Standards, determination of the chain of command, operational readiness and mission planning.

Development of leadership Standards for Non-Commissioned Members (NCMs) also remains a top priority for the Minister. Improvement of training would be based on recommendations which were to be developed by the Non-Commissioned Members Professional Development Council by the end of 1997.

Status

The CF ethos statement, Ethos and Values in the Canadian Forces, is identified by the Department as the keystone force-wide document that addresses the Somalia Inquiry's recommendations that the core qualities of military leadership (integrity, courage, loyalty, selflessness and self-discipline), other necessary attributes and indicative performance factors (see chapter four of the 1998 *Interim Report*) be the basis of leadership in the CF, and for orienting the selection, training and development and assessment of leaders. This formal statement is to be included in all such programs, courses and assessments. The new personnel appraisal system for colonels and above is not yet finalized, but should reflect the Somalia Inquiry's core qualities and other necessary attributes.

The adoption of formal criteria for the accountability of leaders within the CF will be addressed by CFRETS under the aegis of professional development renewal. To that end, work is being done by the Policy Group on the concept of accountability in the CF and DND (see chapter three), and the Department has decided to merge this recommendation with

MND 31 which deals with pre-command training. In general, the question of developing leadership Standards and concepts appropriate for the CF is ongoing at a variety of institutions and organizations within the CF and DND.

Leadership Standards within NCM ranks are also being reviewed by the CF. The findings of an NCM Professional Development survey on this subject were presented by the working group to the NCM Professional Development Council (PDC) on October 30, 1998. The NCM PDC is currently devising recommendations based on the findings of that survey to shape future NCM training.

Observations

Leadership Standards seem to be developing in an ad hoc manner, and it is difficult to gauge the progress made on these recommendations because there appears to be no master implementation plan.

Progress on NCM Professional Development has been slow, but the *Committee* notes that a recent conference held at Queen's University on this problem is a positive step. With increasing demands for technical knowledge and skills for all ranks of the CF, recommendations concerning training and Professional Development of NCMs are essential to the future of the CF.

The *Committee* is unable to comment on the content of the pre-command package, CFPAS for senior officers and NCM training plans before they are finalized.

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Officer Education (MND 10, 12, 13, 14, 15, 16)

Decisions

The Minister stated in March 1997 that, in almost all cases (except Commission from the Ranks), a university degree would be required for commissioned officers. He also announced a thorough review of the undergraduate program at RMC, and an increase in the number of military professors. He also decided to strengthen cooperation between RMC and other civilian institutions of advanced education and to re-establish the institutional connection between Regular Officer Training Plan (ROTP) students in civilian universities and the military. In addition, the overall institutional integrity of the College would be strengthened by a more active and informed Board of Governors (BOG).

Status

DAODs have been drafted to implement educational upgrading policies and conditions for Regular Force officers, and Armed Forces Council (AFC) has endorsed an increase in funding for academic upgrading of Regular Force officers and a new commissioning plan for new entry officers (NEOs). The Department is planning to upgrade approximately 1200 officers per year at a cost of $19.8 million over nine years. Similar policies for the Reserve Force remain to be completed, although studies are ongoing until August 1999. RMC has in place a number of cooperative programs with civilian universities, and offers continuing studies graduate degrees in War Studies, Defence Management and Policy and, forthcoming, Business Administration.

The RMC Board of Governors' (BOG) Study Group completed its report in April 1998, and the Minister accepted it in September 1998. All 34 recommendations are being implemented, including the establishment of a core curriculum, a new leadership model and a Leadership Institute which will study and develop leadership ideas for the CF. RMC is also considering ways to convert 30 percent of selected civilian positions to military positions by 2005.

Observations

In its 1998 *Interim Report*, the *Committee* expressed its concern that, while these educational initiatives are proceeding, a central plan was absent. Little has changed to dissuade the *Committee* of that impression. RMC, for example, appears to have taken the initiative on officer education recommendations. The *Committee* has found the work being undertaken at RMC commendable, and feels compelled to remark on the dedication, hard work and genuine concern for the CF officer corps that individuals at the institution have exhibited. The *Monitoring Committee* encourages the Department to make every effort to implement the 34 recommendations of the BOG Report in as complete a fashion as possible.

The RMC Board of Governors has clearly taken an active, enhanced role in the direction of the college. The *Committee* must, however, note that only one member west of Ontario has been appointed to the BOG (surely not reflective of a regionally balanced Board as called for in the recommendation).

The *Committee* encourages RMC to embrace the recommendation concerning the increase of military professors at RMC as an opportunity to demonstrate the CF's commitment to higher education. In particular, the purpose behind this recommendation was to provide officer cadets with experienced military role models and to "highlight the value that is placed on continuing education and higher learning." RMC should not assemble this teaching staff piecemeal; rather, it should nurture a culture wherein professional officers are encouraged and, when necessary, sponsored to pursue PhDs. Only then will the CF be able to demonstrate a commitment to higher learning.

Such a step is important, because it is difficult to escape the conclusion that the right things are being said by the CF about education, but are not being supported by a rejuvenation of policies, practices and attitudes about the real value of advanced education. The importance of sponsored, career enhancing education must be embraced by senior leadership in order for the CF to glean the benefits of increased intellectual rigour. In practical terms, for instance, higher education must be accepted as crucial for advanced officer status and time allotted for its completion within the personnel appraisal, assessment and promotion systems. Otherwise, there is a danger that new education policies could simply serve to perpetuate the culture of 'ticket punching' that has already infected elements of the officer corps.

This is a critical issue, because it is not possible to exaggerate the importance of formal officer education in today's Canadian Forces. A suitable formal education has become as much of a touchstone of military professionalism as charisma, honour, dedication, courage and a 'strong right arm.' Although the essence of war-fighting is today the same as it was in ancient times, and will remain largely unchanged far into the future, the technical, social, and political challenges to today's officer corps are far more complex and varied than at any time in history. It is no longer sufficient for Canadian Forces officers to know which civil or military solutions to apply to problems, it is necessary that they thoroughly understand the nature of the solutions they aspire to use and to be able to adapt or improvise solutions to suit particular circumstances. To do that, they must learn those basic skills of critical evaluation and analysis that will allow them to tackle any problem that may come along. Put simply, they must acquire the thinking skills that a liberal arts education affords as the basis for whatever technical learning they need also acquire.

In aiming to implement the recommendation of the Minister of National Defence regarding a basic undergraduate education requirement, the Canadian Forces and the Department of National Defence have embarked on a task that will revolutionize the Canadian military. A good start has been made, but problems loom. The small size of the CF and the growing educational, training, and basic day-to-day job requirements of CF officers are at loggerheads with the aim of producing a better educated officer corps. Simply put, there is scant time for an officer to complete the new education and training requirements for higher command while also carrying out his/her basic job, serving on taskings, and having a modicum of family life. There is great pressure on the CF in general, and on individual members in particular, to do too much, too quickly. This has led to hastiness in execution and a lack of an overall education strategy.

Although there has been much progress in improving officer education, the following is also true:

1. There are still leaders in the CF who believe that leadership training and an undergraduate education at RMC, or a civilian university, amount to the same thing, which is not so.
2. The army, navy, and air force have lacked, and continue to lack, a coordinated undergraduate education policy.
3. The CF still has no established forces-wide policy re: graduate education with respect to time release or sponsorship.
4. The undergraduate curriculum at RMC is still heavily affected by a "job training" approach as opposed to education in the liberal arts sense of the word.
5. There is appallingly little sponsorship of military members in non-engineering subject areas.
6. Despite the push for increased liberal arts military education in the United States armed forces, in Latin America, and elsewhere, the Canadian military is still acting under the assumption that subjects such as geomatics engineering are true military education fare but history or anthropology are not.

The *Committee* must also point out that if the overall size of the Canadian Forces is further reduced or taskings significantly increased, the conflict between taskings and time required for education will become untenable and the aim of a truly modern and inter-operable CF will become impossible to achieve. There are officers in positions of authority who still disagree with the need for higher education among officers, and appear not to be working enthusiastically toward what is, of necessity, an institutional goal.

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Officer Professional Development (MND 11, 17-20)

Decisions

The Minister stated in March 1997 that the Officer Professional Development Program would be improved and upgraded to reflect the fact that the vast majority of future officers will possess university degrees. The Minister also decided to strengthen the professionalism of senior officers through review, revision and expansion of the curricula of the Land Command and Staff College and of the Canadian Forces Staff College. Emphasis would be placed on the principles of military professionalism, ethics, decision-making, the nature of military operations from traditional peacekeeping through all-out war, leadership and management. At the mid-level rank (colonel and navy captain), a new three-month course would be launched, emphasizing jointness, senior leadership and ethics. In 1999, a six-month program emphasizing executive leadership, resource management and strategic operations would be initiated.

Status

The Officer Professional Development Program (OPDP) is being overhauled. A draft revision to the DP 2 (Development Period) Training Plan has been completed, and will now be incorporated into OPDP modules. A review is also under way by the RMC Departments of History and Political and Economic Science, in conjunction with NDHQ, of the academic credit equivalency for the renewed OPDP. Consideration is also being given to the assignment of OPDP credits for RMC and civilian university courses. The Dean of Continuing Studies at RMC and the Commanding Officer for the OPDP detachment at NDHQ will undergo a review of the OPDP's pedagogy, in cooperation with the CF Training Development Centre (CFTDC) in Borden.

Two new courses, a three-month Advanced Military Studies Course (AMSC) and a six-month National Security Studies Course (NSSC), have been initiated at the Canadian Forces College. These courses are designed for senior officer development (at the colonel and brigadier-general levels respectively), and were developed with the assistance of an outside Board of Experts. They place particular emphasis on leadership, joint military command and ethical issues. Both of them, as well as the existing Command and Staff Courses of the College, will make greater use of active learning methods (including case studies) and less on lectures.

Observations

RMC must be congratulated and supported in its role as the academic standard bearer of the CF. In this capacity, therefore, it is vital that RMC, as a member of the Association of Universities and Colleges of Canada and the Canadian Association for Graduate Studies continue to ensure that academic Standards are applied rigorously to any academic credit equivalency considered for OPDP stages from two to four. Similar support must be given to

RMC in its role within the pedagogical review of the OPDP. OPDP must not be developed into a 'ticket-punching' avenue to the mandated university degree. In any review of the OPDP, serious consideration should also be given to further cooperation with civilian universities through institutional agreements, distance education and other initiatives. For example, while RMC should continue to deliver the strong programs it has in place, the initiation of new degree programs, such as the Masters in Business Administration currently being developed, is problematic. The CF could tap into the numerous well-established programs already in place, rather than allocate resources to a new program that, while apparently desired by many in the CF, would require a long time to evolve to the level of the first-rate degrees offered elsewhere.

Furthermore, although the current interest in higher education must be encouraged, it must not be allowed to deteriorate into an environment where individuals are sponsored to pursue 'trendy' degrees, only to take their marketable qualifications elsewhere upon graduation. Higher education is expensive and valuable. Individuals sponsored for higher education must therefore be obligated to remain in the CF for a required length of time after being selected to pursue their degrees. That is the only way the CF and Canadian taxpayers can realize a return on their investment in education.

The *Monitoring Committee* is impressed by the work being done at the Land Force Command and Staff College (LFCSC). Directing Staff are dedicated and hard-working, and clearly deliver mandated training packages in an enthusiastic and articulate manner. The Commandant and his staff are to be commended.

The *Committee* is also impressed by much of what it discovered at the Canadian Forces College at Toronto. However, there are some concerns about both the existing operational level course (AMSC) and the strategic level course (NSSC). Separating the operational and strategic elements of senior leadership makes little sense. The strategic studies part of the program has too much focus on 'nuts and bolts', with too little emphasis on policy and independent intellectual thought. The teaching of advanced military concepts must include the civilian context (i.e., social, economic, political) within which war is almost always waged. High command in war and the high direction of policy, in other words, are integrally connected.

The separation of these elements in the current course structure at the CF College is therefore inadequate for the creation of a leadership elite for the CF. This is unacceptable. As the vanguard of leadership and the only advanced staff college in Canada, fundamental changes must be implemented in the delivery of courses to senior officers at the CF College. For the consideration of the public and CF leadership, we offer some suggestions for reform:

1. The AMSC for colonels should continue in the three-month timeframe, concentrating on operations.
2. Other AMSC content and that of the NSSC should be merged into a single nine-to-ten month course. Candidates for this course should be selected on a competitive basis, and selection should be treated as a prerequisite for promotion to general/flag rank, as opposed to the current situation where promotions to this rank is not affected by performance in the course. The course must adhere rigorously to high academic and professional Standards in methods of teaching, course content and tenor of intellectual discourse.

3. Candidates chosen for this course should be treated as an elite group who have earned the privilege of attending the College and the opportunity to be promoted accordingly.
4. The CF should make liberal provisions for students' stay at the College, including family leave or accommodation, travel allowances and students' accommodation. Furthermore, candidates should be seconded from their positions, and not required to continue performing their duties while on course.
5. Those who are responsible for administering, organizing and teaching at the College should be a mix of top-notch civilian academics or military professionals with strong academic credentials.

The *Monitoring Committee* feels strongly that such reforms in the training of the elite of the officer corps are vitally important for the CF's ability to operate effectively both with its allies and with its civilian counterparts in Canada and to fulfill the recommendations.

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Values and Ethics (MND 9, 22, 31)

Decisions

The Minister announced in March 1997 that a new formal statement of values and beliefs would form the core of all recruiting and training programs as well as professional development and performance assessments of CF members. He also stated that members designated for pre-command training would be taught the basics of military law, human rights, public affairs, legal responsibilities, resource management, employment equity and ethics. To ensure that new recruits are aware of the ethics, responsibilities, traditions and values they, as Canadians in uniform, represent, basic training would be extended from eight to ten weeks to cover these areas.

Status

In its 1998 *Interim Report*, the *Committee* noted the additional two weeks added to basic training to cover additional areas of the military profession. A course has been developed which deals with these pre-command training requirements. The "Statement of Defence Ethics" has been promulgated and is being incorporated into training and educational materials. The Department has informed the *Monitoring Committee* that the philosophy set out in chapter two of the Army's keystone strategic doctrine manual (CFP-300 *Canada's Army*), entitled 'Professionalism and Ethos — The Army's Essence' is to be promulgated into CF-wide efforts to enhance leadership, values and ethics. In general, the Department has decided recently to merge these recommendations and pursue them under the umbrella guidance of professional development renewal (PD Renewal), recently briefed to Armed Forces Council.

Observations

The additional two weeks of basic training seems to boost the exposure of new recruits to a broad spectrum of the context within which the profession of arms operates in Canada. The

CF is progressing in its attempts to provide recruits/officer cadets with a solid foundation for their military careers. The *Monitoring Committee* is pleased that the CF has decided to apply the philosophy of leadership set out in the Army's CFP-300 to the forces as a whole. It is an excellent document, and represents a sea change in the expression of military thinking and professionalism in Canada. The Army is to be commended for its production.

The *Monitoring Committee* is encouraged by the Department's attempts to incorporate fundamental values and beliefs into all aspects of its training, development and assessment activities. However, as with many of the other change initiatives being monitored, it is difficult to identify a centralized plan and intent for this activity. It is noteworthy, for instance, that curriculum changes and related materials at CF colleges and training establishments were instituted before basic concepts were established and articulated from the centre (NDHQ). Nonetheless, while it is understandable that individual services may have nuanced interpretations of these 'soft' attributes of leadership, the Department and the CF should not be dissuaded from following through on these recommendations.

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RECOMMENDATIONS

MND 9: **Produce by June 1st a formal statement of values and beliefs to be integrated into all recruiting and training programs, professional development activities and performance assessments of members of the Canadian Forces at all levels.**

MND 10: **Change policies beginning in 1997 to make a university degree a prerequisite to commissioning as an officer, with the only exceptions to be made for those commissioned from the ranks.**

MND 11: **Undertake this year a review of the Officer Professional Development Program and teaching methodologies to ensure their relevance given that in future almost all officers will have university degrees.**

MND 12: **Begin immediately a thorough review of the undergraduate program at the Royal Military College. This review will ensure for each graduate a broad-based education, well grounded in the sciences and humanities, with special emphasis being placed on the development of values, ethics and the leadership skills needed to prepare officers for responsibilities and service to country.**

MND 13: **Increase the number of military professors at the Royal Military College. This will enhance the contact officer cadets have with experienced military officers throughout the academic year and serve to highlight the value that is placed on continuing education and higher learning.**

MND 14: **Strengthen the current cooperative programs between the Royal Military College and civilian institutions of higher learning to ensure greater interaction between officer cadets and their civilian counterparts. Distance learning and video technologies will be employed to facilitate the interchange.**

MND 15: **Ensure that the Board of Governors being established with an appropriate geographic and gender balance provides enhanced guidance to the Royal Military College.**

MND 16: **Re-establish the compulsory affiliation of students enrolled in civilian universities under the Regular Officer Training Plan with military establishments in the area of their universities, in order to provide them with regular training and military contact throughout the academic year.**

MND 17: **Revise and expand the curriculum of the Land Command and Staff College to strengthen the knowledge of operations at the tactical level and broaden the understanding of the military profession, including army heritage and ethos, and ethics and decision-making. The first course will begin in the summer of 1997.**

MND 18: **Review the curriculum of the Canadian Forces Command and Staff College to ensure proper emphasis on operations in the spectrum of conflict between traditional peacekeeping and all-out war, ethics in the 21st century, leadership and management. The quality of academic instruction will also be examined.**

MND 19: **Begin in 1998 a three-month course to prepare officers at the colonel/captain (navy) level for senior leadership responsibilities; it will emphasize "jointness", senior leadership and ethics.**

MND 20: **Begin in 1999 a more strategically-oriented, six-month course to be attended by officers about to be, or recently promoted to general rank or its naval equivalent; it will emphasize executive leadership, strategic**

operations and resource management.

MND 21: **Respond later this year to the recommendations to be submitted by the newly-created Non-Commissioned Members' Professional Development Council chaired by the Canadian Forces Chief Warrant Officer on the training needs of non-commissioned members across the Canadian Forces.**

MND 22: **Extend basic training from eight to ten weeks beginning in January 1998 to ensure that new recruits better understand the ethics, responsibilities, traditions and values to which they are expected to subscribe and which, as Canadians in uniform, they represent.**

MND 31: **Formalize pre-command training in all services to ensure that the knowledge of potential candidates is current in such areas as military law, human rights, public affairs, legal responsibilities, resource management, employment equity and ethics.**

Som 15.1: **The Chief of the Defence Staff adopt formal criteria, along the lines of the core qualities of military leadership, other necessary attributes, and indicative performance factors set out in Chapter 15 of this Report, as the basis for describing the leadership necessary in the Canadian Forces, and for orienting the selection, training, development and assessment of leaders.**

Som 15.2: **The core qualities and other necessary attributes set out in Chapter 15 of this Report be applied in the selection of officers for promotion to and within general officer ranks. These core qualities are integrity, courage, loyalty, selflessness and self-discipline. Other necessary attributes are dedication, knowledge, intellect, perseverance, decisiveness, judgement, and physical robustness.**

Som 15.3: **The Chief of the Defence Staff adopt formal criteria for the accountability of leaders within the Canadian Forces derived from the principles of accountability set out in Chapter 16 of this Report, and organized under the headings of accountability, responsibility, supervision, delegation, sanction and knowledge.**

Som 15.4: **The Canadian Forces make a concerted effort to improve the quality of leadership at all levels by ensuring adoption of and adherence to the principles embodied in the findings and recommendations of this Commission of Inquiry regarding the selection, screening, promotion and supervision of personnel; the provision of appropriate basic and continuing training; the demonstration of self-discipline and enforcement of discipline for all ranks; the chain of command, operational readiness and mission planning; and the principles and methods of accountability expressed throughout this Report.**

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CHAPTER 6 —
MILITARY JUSTICE ISSUES

CHANGES AFFECTING MILITARY POLICING AND INVESTIGATIONS
Responsibilities | Professionalism

CHANGES AFFECTING THE MILITARY JUSTICE SYSTEM
Amendments to the *National Defence Act* | Amendments to Regulations

Recommendations

The *Monitoring Committee* noted in its 1998 *Interim Report* that it takes a special interest in military justice issues. The *Report of the Commission of Inquiry into the Deployment of Canadian Forces in Somalia*, the *Report of the Special Advisory Group on Military Justice and Military Police Investigations Services* and the *Report of the Military Police Services Review Group* have provided a number of recommendations for the improvement and strengthening of the Canadian military justice system.

Partly in response to these recommendations and partly as a longer term program of justice reform, the Department of National Defence (DND) and the Canadian Forces (CF) have actively been pursuing an ambitious agenda of legislative and policy changes. Bill C-25, *An act to amend the National Defence Act*, received Royal Assent on December 10, 1998. It has not yet been proclaimed into force. The *Committee* understands that proclamation awaits the drafting of final regulations.

In our last *Interim Report* we deferred comment on recommendations governing Military Police (MP) until completion of the *Report of the Military Police Services Review Group* under the direction of the late Chief Justice Dickson and LGen Belzile (Ret'd). The *Committee* is pleased to report that the Report was received in December 1998 and that most of the recommendations therein have already been implemented.

The *Committee* is pleased with the considerable progress that has been made in the area of Military Police and the effort put forward by the Canadian Forces Provost Marshal (CFPM) and staff. It is reasonable to conclude that most of the recommendations being monitored in this area have been implemented. We understand that those remaining will be addressed in the near future. Reforms undertaken by the Department over the last two years have bolstered the organization's responsibilities and the professionalism of the Military Police.

This chapter discusses in some detail the status of these particular reforms and provide observations regarding Military Police services. The *Committee*'s comments regarding legislative and regulatory changes follow.

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CHANGES AFFECTING MILITARY POLICING AND INVESTIGATIONS

The *Committee* notes that considerable progress has been made in the area of the Military Police since its 1998 *Interim Report.* Furthermore, the *Report of the Military Police Services Review Group* (*Belzile Report*) reported a number of major accomplishments on military policing issues. The *Committee* commends the Department and the Office of the CFPM on these positive steps. The report noted that:

- The office of the Canadian Forces Provost Marshal (CFPM) has been created. Five Deputy Provost Marshals have responsibility for the areas of policing, professional Standards, security, resource management, and planning and coordination.
- The National Investigation Service (NIS) was stood up on September 1, 1997. It operates with regional detachments in Halifax, Valcartier, Ottawa and Edmonton.
- An Accountability Framework was signed between the Vice-Chief of the Defence Staff (VCDS) and the CFPM on March 2, 1998. The Framework outlines their roles and relationships to ensure the provision of effective and professional Military Police services.
- An Occupational Analysis is scheduled to be completed in 1999 to serve as the foundation for the establishment of required qualifications and training Standards for the Military Police.
- Policies and procedures governing policing activities are being reviewed to ensure compliance with contemporary police practices.
- An audit program has been established to check compliance with policies and procedures and make suggestions for corrections and improvements.

The *Committee* has monitored the progress in the area of military policing in two broad areas: responsibilities and professionalism.

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Responsibilities (Dickson 1-9, 1-10, 1-11, 1-13, 1-14, 1-15; Belzile 1, 2, 4, 5, 6, 7, 8, 10, 11, 13;
Som 40.6, 40.8, 40.9, 40.12, 40.13, 40.16, 40.17)

Decisions

The Minister accepted a number of recommendations relating to the increase in responsibilities of the Military Police. These included enhanced powers for the Director General Security and Military Police which have resulted in the creation of the position of CFPM. The CFPM reports directly to the Vice-Chief of the Defence Staff.

The Minister accepted a number of recommendations regarding the role, powers, independence and authority of the CFPM and the National Investigation Service in relation to the chain of command. This includes the recommendations relating to reorganizing the NIS under the direct command and control of the CFPM, thus responding to recommendations for a separate policing authority independent of the chain of command. In addition, the recommendations included authority to initiate investigations into service offences of a serious and/or sensitive nature and to lay charges when justified. The mandate and jurisdiction for these activities are embodied in the Military Police Investigative Policy.

The Minister also directed that the mandate and resources for counter-intelligence be removed from the Special Investigation Unit and transferred to the Director General Intelligence with background security checks contracted to the Canadian Security Intelligence Service (CSIS).

Status

As of July 1, 1997, the CFPM was removed from the operational chain of command, and now is responsible and accountable to the VCDS for Standards of military policing within the Department and CF. The VCDS sets the broad strategic framework for policing, but maintains an arm's length relationship with the CFPM regarding on-going investigations.

The reorganized CF National Investigation Service (CFNIS) was stood up on September 1, 1997 reporting directly to the CFPM, and resources have been dedicated to fulfill its mandate of investigating allegations of serious and/or sensitive offences. Members of the CFNIS have been given authority to lay charges through *QR&O*. The recently approved Deputy Provost Marshal CFNIS Investigative Support (DPM CFNIS) is the tasking and quality assurance authority of the NIS and acts on behalf of the CFPM for all matters related to investigations.

An NDHQ Policy Directive on Military Police Investigation Policy has been approved by DND concerning the responsibilities for the conduct of MP investigations and new policy has recently been approved to respond to recommendations of the *Belzile Report*. The new policy also implements the recommendation of the *Belzile Report* that the NIS involve base/wing MPs in its investigations as much as possible. Furthermore, NIS investigators working on allegations involving members of the Military Police will be selected from regions other than that of the subject MP.

The independence of the NIS has been reinforced as noted:

- The NIS has a dedicated budget and only the CFPM has a role in allocating its resources. This eliminates the potential for chain of command influence on investigative resource allocation. Ultimately, the VCDS is responsible, according to the Accountability Framework, for "promoting the acquisition of resources necessary to fulfill the general priorities and objectives which are established for the military police services."
- The NIS has the authority to initiate investigations independent of the chain of command and is authorized to lay charges.

The *Belzile Report* also recommended that the CFPM have the opportunity to comment on the technical skills of military police members in their personal evaluation reports. This recommendation will be implemented by mid-1999.

The responsibilities and resources for counter-intelligence were removed from the Special

Investigation Unit (SIU) and transferred to the Director General Intelligence soon after the release of the *Special Advisory Group Report.* The remaining function of the SIU, background security checks, was transferred to CSIS and the SIU was disbanded.

Observations

The creation of the CFNIS provides dedicated independent resources with a mandate to investigate allegations of serious and/or sensitive offences. The authority to commence investigations on their own initiative and lay charges when warranted are additional responsibilities given to the CFNIS. These added responsibilities and the fact that CFNIS are now deployed on all international operations reinforces the approach by the CF to have an independent investigative unit within the Military Police reporting directly to the CFPM.

The Belzile Group reviewed the DND Investigative Policy; although there was general agreement with the Policy, it was recommended that "the [CFNIS] discretion to waive NIS investigations to the base/wing military police be exercised more aggressively...." It is expected by the CFPM that the exercise of such discretion will increase over time as a result of further training and experience.

The *Monitoring Committee* is pleased with the progress being made to ensure the independence of investigations. The establishment of the CFPM, the reporting relationships with the VCDS, independence from the chain of command and the creation of the NIS, with the power to lay charges, are important steps in this regard.

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Professionalism (Dickson 1-10, 1-12, 1-14, 1-35; Belzile 3; Som 40.7, 40.14, 40.15)

Decisions

The Minister decided that the professional instruments available to the Military Police must be enhanced in order for the organization to fulfill its newly mandated responsibilities. As a result, the Minister accepted the recommendations dealing with the need for increased training of all Military Police, a national review program for all Military Police functions, a review and oversight role by the VCDS facilitated by an annual report from the CFPM, a Military Police *Professional Code of Conduct* and an independent office of complaint review.

Status

An Occupational Analysis of the Military Police (MP) was begun in Fall 1998 to "determine and evaluate job performance requirements to ensure the occupational structures and supporting occupational specifications facilitate the most efficient and cost-effective selection, training, assignment and career development of MP personnel." The Occupational Analysis report is due in the summer of 1999, after which the Department will review its content and respond. This report will assist in developing an effective training program for the members of the Military Police.

In the interim, training has been enhanced with special emphasis being given to upgrading the skills of the members of the CFNIS through attendance at courses given by civilian police forces or through secondments. Furthermore, the *Belzile Report* recommends that, if necessary, a Memorandum of Understanding (MOU) be executed by the CFPM and the Commander of the Canadian Forces Recruiting, Education and Training System (CFRETS) to ensure that the training provided by the Canadian Forces School of Intelligence and Security (the training organization for all Military Police) provides the appropriate training. We understand that an MOU is likely to be signed in the near future.

On March 2, 1998 an Accountability Framework was signed between the CFPM and the VCDS. This framework sets out the roles and responsibilities of both parties. The CFPM is now accountable to the VCDS for Standards of military policing and the VCDS sets the broad strategic framework for policing. The VCDS maintains an arm's length relationship with the CFPM regarding on-going investigations. The VCDS is also responsible for taking steps to ensure the integrity of the investigative process within an operational primacy environment should the need arise. This role is being facilitated by review resources external to the Military Police. The CFPM conducts functional reviews of all Military Police to determine if Standards, policies and training consistent with generally accepted police practice in Canada are met. The CFPM also produces an annual public report on the status of the Military Police and investigations, thus enhancing the accountability of the position of CFPM and increasing the transparency of the investigative system.

The Government did not accept the recommendation of the Somalia Inquiry that the CFPM should report to the Solicitor General of Canada. The Department maintains that the new responsibilities of the CFPM, the introduction of the CFNIS, the annual report, the new reporting relationship to the VCDS and the new Military Police Complaints Commission (MPCC) address potential problems with command influence and conflict of interest.

As of July 1, 1997, a professional Standards directorate was established within the CFPM's organization. The directorate administers the national MP Audit Section, and is responsible for receiving and investigating complaints about the conduct of an MP. A Military Police *Professional Code of Conduct* is also being developed as regulations under the amended *National Defence Act*. The Military Police Credential Board, which acts as the oversight and accountability mechanism for the professional conduct of all Military Police, has been the subject of review. Certain modifications that would facilitate openness, transparency, consistency, impartiality and procedural fairness have been suggested to the process. Furthermore, the Military Police Complaints Commission (MPCC) will deal with public complaints regarding the conduct of Military Police in the performance of their policing duties.

Bill C-25, *An act to amend the National Defence Act,* received Royal Assent on December 10, 1998. Part IV establishes an independent MPCC as an external review body. Any person may submit a complaint to it about the conduct of a member of the Military Police in the performance of policing duties. A complaint can be made whether or not the complainant is affected by the subject matter of the complaint. Furthermore, a member of the Military Police who conducts or supervises an investigation can make a complaint if he or she believes on reasonable grounds that an officer, a Non-Commissioned Member or a senior official of the Department has improperly interfered with the investigation.

The new Commission will be independent of the chain of command and DND. This civilian oversight structure will be an accountability mechanism to ensure that complaints regarding Military Police conduct are dealt with effectively and impartially. The establishment of the Commission is an important complement to the granting of new powers and responsibilities to the Military Police. Externally, the MPCC, once established, will provide a mechanism for dealing with complaints regarding interference with investigations by officers, non commissioned members and senior officials of the Department.

Implementation of the Commission requires appointment of a Chairperson and the drafting and promulgation of several regulations. These would outline the policing duties or functions that will be the subject of complaints, and define the types of complaints that may not be resolved informally.

Observations

The Belzile Group reviewed the Accountability Framework between the CFPM and the VCDS and concluded that it is functioning as intended. In terms of monitoring policy, functional reviews (audits) of all Military Police are being conducted by the CFPM. The *Belzile Report* noted that the Framework respects the recommendations of the *Dickson Report* and that the parties are satisfied with the Framework. A Chief of Review Services (CRS) audit being undertaken in 1999 will examine the roles of the CFPM and the CO NIS.

Improvements in training and professional Standards are ongoing. The *Monitoring Committee* commends the improvements in professionalization of military policing inherent in the establishment of the CFPM position and the reorganization of the Canadian Forces National Investigation Service (CFNIS). We believe that ongoing training and the development of expertise and confidence are key to maintaining a respected and dedicated policing function. We therefore await with interest the results of the Occupational Analysis and the recommendations and implementation plans dealing with training.

Increasing the professionalization of the Military Police will be accomplished by enhancing the role and status of the policing function. The CFPM, the Military Police and the Military Police *Professional Code of Conduct* are now recognized in statute as a result of the amendments to the *National Defence Act.* This is a significant advancement in the professional evolution of the Military Police.

The proclamation of Bill C-25 and enabling regulations are required to put the finishing touches to this and other areas of justice reform, which are prerequisites for the successful implementation of the many recommendations that have been accepted as direction for some time.

Independence of investigations must await the creation of the Military Police Complaints Commission (MPCC) which would provide for civilian oversight.

The *Dickson Report* states (p. 65) that:

> "Independent oversight is especially important for the military police and, in this

> regard, civilian oversight of police forces is particularly instructive. If an individual citizen complains to a civilian police force about improper conduct of its personnel, there is an expectation of and a right to response. This situation should be no different in the military context."

Indeed, civilian oversight of the investigative process is a fundamental guarantor of accountability and transparency. In order for the Military Police to fulfill the many responsibilites allotted to them and meet the hight expectations embodied in their new statute-based recogition, the MPCC and the *Professional Code of Conduct* must be treated as seminal advances in program delivery and accountability. The *Committee* therefore urges the Department to take the necessary actions to implement this recommendation as soon as possible.

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CHANGES AFFECTING MILITARY JUSTICE SYSTEM

Amendments to the *National Defence Act*

The *Committee*'s 1998 *Interim Report* provided an overview of proposed changes to the *National Defence Act,* including the *Code of Service Discipline,* pre-and post-trial procedures, other aspects of the legislation involving the appointment of the Director of Military Prosecutions and various reforms to the summary trial process and Courts Martial. The amended *National Defence Act* received Royal assent December 10, 1998 and is awaiting proclamation.

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Amendments to Regulations

The *Committee* provided comment in its 1998 *Interim Report* on the implementation status of various recommendations. In observing developments since that time, we have recognized progress, but must note our concern that those regulations now in draft form be moved forward in order to implement some very positive reforms. In fact, the *Committee* makes specific note of this in the section of this chapter dealing with various changes affecting the Military Police.

At the time of writing this progress report, the *Committee* was in regular contact with officials in the Office of the Judge Advocate General (JAG), and had been advised that all regulations created or revised since the *Committee*'s 1998 *Interim Report* were in draft form. The JAG is confident that the regulations will be enacted by June 30, 1999 and that revisions to the Act and Regulations should be in force by September 1, 1999. The *Committee* observes that this represents major progress since the 1998 *Interim Report.* At the same time, however, it must be noted that there has been ongoing slippage. The *Committee* urges that these dates be respected.

The reason for a two-month delay before the new regulations take effect is based on a need to allow time for all members of the CF to study the new regulations and digest their implications. Similar logic would apply to the delay in proclaiming the amended Act into force. The changes introduced by the legislative and regulatory amendments are considerable, and the *Committee* agrees that sufficient time should be allotted to permit members and DND officials to understand and appreciate the nature of the reforms.

From available information, it appears that most of the accepted recommendations have been addressed and implemented. Some of those proposed changes were accomplished through amendments to the *National Defence Act*.

The *Committee* is unable to comment on the substance of the draft regulations due to their confidential nature. We can observe with some confidence that progress has been demonstrated and that the *Committee*'s final report later this year will provide an assessment of the degree to which the amended regulations have met the objectives set out in the various recommendations accepted by the Minister.

The 1998 *Interim Report* listed a number of areas where regulatory changes were reported to be implemented. In this report, however, the *Monitoring Committee* does not intend to describe such changes. Instead, we note the implications of not completing the work required to bring these reforms into effect. One critical area is that of summary trials.

The summary trial is a highly efficient tool for discipline within the CF. Between August 1, 1998 and March 21, 1999, 633 summary trials were held. The object of such trials is to deal with alleged offences quickly, within the member's unit, and to return the member to the service of the unit as soon as possible. In Dickson 1 many changes were recommended to the summary trial process. Although many were implemented, two of particular concern still await implementation: certification of COs or delegated officers hearing summary trials and the collection and publicizing of summary trial statistics.

Certification is important to ensure that the CO and delegated officer understand the summary trial process and are able to fulfill their duties. To accomplish this, training and working instruments must be made available to them. The Department had anticipated and reported that certification training would be completed by September 1999. The *Monitoring Committee* has learned that this training will not commence until September 1999 and is not scheduled to be completed until March 2000. It is urgent that this new schedule be respected.

Statistics on summary trials are currently being recorded through the *Records of Disciplinary Proceedings* and being sent monthly to the Office of the JAG. Contrary to Chief Justice Dickson's clear recommendation that these records be kept and "publicized on a regular basis throughout the CF," these statistics are not being publicized. Information from the Office of the JAG indicates that a central database is being contemplated, but that this is at a preliminary stage. Again, the *Committee* urges that a high priority be placed on publicizing summary trial statistics to fulfill the intent of Chief Justice Dickson's recommendation that such information be available throughout the CF to "encourage respect for and uniformity within the Canadian Forces' disciplinary system."

These are but two examples to illustrate the importance of immediate action to bring needed reforms into effect.

The *Monitoring Committee* anticipates the coming into force of these and other important changes in order to comment more fully in its final report.

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RECOMMENDATIONS

Belzile 1: We recommend that the CRS review the roles of CFPM and Commanding Officer of the NIS, with a view that these be assumed by separate individuals, with the CO of the NIS reporting to the CFPM.

Belzile 2: We recommend that base/wing military police remain under the command and control of the operational chain of command.

Belzile 3: We recommend that, if necessary, a Memorandum of Understanding be executed between the CFPM and CFRETS which provides for mutually acceptable means whereby the CFPM could ensure that the training provided by CFSIS responds adequately to the training Standards that military police must meet.

Belzile 4: We recommend that the CFPM be afforded the ability to comment on the technical skills of military police members in their personnel evaluation reports, and that those comments be considered by the appropriate authorities in the career management of military police members.

Belzile 5: We recommend that the Military Police Investigation Policy be amended to say that a "sensitive offence" would include one which could bring discredit to the Department of National Defence.

Belzile 6: We recommend that discretion to waive NIS investigations to the base/wing military police be exercised more aggressively than it has in the past, and that whenever practicable this discretion be exercised at the regional NIS level, after consultation with the appropriate base/wing security officer.

Belzile 7: We recommend that the NIS involve base/wing MPs in their investigations as much as possible.

Belzile 8: **We recommend that the threshold for property offences triggering NIS involvement be increased to $20,000, with the proviso that discretion still be used for any property offences.**

Belzile 9: **We recommend that, should the need arise, foreign military personnel be investigated upon the same criteria as affect CF personnel, taking into account any applicable bilateral or multilateral agreements.**

Belzile 10: **We recommend that the Military Police Investigation Policy be amended such that the NIS is no longer required to investigate an offence merely because a senior officer is a victim.**

Belzile 11: **We recommend that the Military Police Investigation Policy be amended so as to afford the NIS some discretion in waiving to the base/wing military police investigations involving senior officers as subjects, where, taking all relevant considerations into account, the matter could be appropriately dealt with by the local MP.**

Belzile 12: **We recommend that, whenever the NIS is required to investigate an alleged offence committed by military police personnel, the investigation should be conducted by NIS investigators who do not or are not likely to have a current working relationship with the subject MPs.**

Belzile 13: **We recommend that the offences of uttering threats and assaulting peace officers be waived back to the local military MPs whenever this is justified by the application of the discretionary criteria.**

Belzile 14: **We recommend that the Investigation Policy relating to the NIS responsibility to inform commanders be applied in such a way as to ensure that commanders are advised on a regular basis as to the progress of ongoing investigations.**

Belzile 15: **We recommend that shadow files be handled by the base/wing MPs, while ensuring that the information be copied to the NIS for their information.**

Belzile 16: **We recommend that the need to have an NIS officer present when another officer is being interviewed as the subject in an NIS investigation be assessed by the NIS on a case-by-case basis.**

Belzile 17: We recommend that the CFPM ensure that the military police technical chain communicates promptly and effectively to all military police, particularly those charged with base security and investigations, all changes in the law relevant to their investigative mandate.

Belzile 18: We recommend that where it is conducting investigations in the context of a deployed operations, the NIS should take all necessary steps to advise promptly the chain of command of the progress of the investigation.

Belzile 19: We recommend that the word "approval", found in paragraph 29 of the Military Police Investigation Policy, be removed and replaced with "opinion."

Dickson 1-1: We recommend that a distinct military justice system be maintained for the Canadian Forces, consistent with the supremacy of the Rule of Law, including the *Canadian Charter of Rights and Freedoms,* and subject to innovations and changes recommended in this report.

Dickson 1-2: We recommend that the existing Code of Service Discipline continue to be administered primarily by the chain of command, both in times of conflict or peace, in Canada or abroad, subject to innovations and changes recommended in this report.

Dickson 1-3: We recommend that it be declared, as a fundamental principle of Canada's military justice system, that every person subject to the Code of Service Discipline is entitled to its equal and uniform application without regard to rank.

Dickson 1-4: We recommend that the existing Code of Service Discipline be re-enacted as a separate federal statute.

Dickson 1-5: We recommend that the principal responsibilities of the Judge Advocate General be set out in the *National Defence Act,* and that, without limiting the generality of those responsibilities, the following provisions be included:

a. the Judge Advocate General's duties as legal adviser to the Minister of National Defence, the Department and the Canadian Forces;
b. the Judge Advocate General's duty to provide oversight and supervision to the administration of the military justice system across the Canadian Forces;

c. **the Judge Advocate General's duties in respect of its separate defence, prosecution, and judicial functions;**
d. **the Judge Advocate General's duty to report annually to the Minister of National Defence and the Chief of the Defence Staff on the overall effectiveness of the military justice system in the Canadian Forces.**

Dickson 1-6: **We recommend that the Judge Advocate General annual report to the Minister of National Defence and the Chief of the Defence Staff be released to the public.**

Dickson 1-7: **We recommend that, whenever a Canadian Forces member is entitled to legal advice under the Code of Service Discipline, the Judge Advocate General provide such advice in a manner that is independent of the Judge Advocate General's prosecution and judicial functions.**

Dickson 1-8: **We recommend the appointment of an independent Director of Prosecutions responsible to the Judge Advocate General.**

Dickson 1-9: **We recommend that command and control of military police required in the operational support of the commanders remain under their respective commands; that military police resources associated with the provision of intelligence and counter-intelligence be placed under the command of the Director General Intelligence; and that all other military police resources be under the command and control of the Director General Security and Military Police.**

Dickson 1-10: **We recommend that the role of Director General Security and Military Police be affirmed and enhanced as follows:**

a. **to have primary responsibility for all military police selection and recruiting Standards;**
b. **to have primary responsibility for all military police training Standards;**
c. **to have direct responsibility for cooperation with the RCMP and other police forces in the development of the National Investigation Service;**
d. **to have direct responsibility for review of all military police functions in the Canadian Forces;**
e. **to report directly to the Vice Chief of the Defence Staff.**

Dickson 1-11: **We recommend that the responsibilities assigned to Director General Security and Military Police be established in the new position of Canadian Forces Provost Marshal.**

Dickson 1-12: **We recommend that a comprehensive training process be introduced to improve the investigative capabilities of military police, including the following provisions:**

- **a. the training of military police personnel should be reassessed at all levels with a view to improving investigative skills;**
- **b. the employment of military police personnel should allow them to acquire and maintain acceptable Standards of expertise to investigate serious matters;**
- **c. investigators, officers and non-commissioned members, should receive training in investigation and investigation management commensurate with their experience and responsibilities;**
- **d. investigators in the military police should be given the opportunity to gain practical investigative experience and expertise through an exchange and/or secondment programme with other police forces.**

Dickson 1-13: **We recommend that the present Special Investigation Unit of the military police be merged with the National Investigation Service to provide specialized and professional investigative services to the Canadian Forces on a national and international basis.**

Dickson 1-14: **We recommend that the National Investigation Service of the military police be reorganized and tasked on the following basis:**

- **a. it would operate under direct command and control of the Director General Security and Military Police;**
- **b. it would operate independently of the chain of command;**
- **c. its investigative services would be initiated with respect to all service offences of a serious or sensitive nature, or offences requiring complex or specialized investigations;**
- **d. its investigators would have the authority to lay charges as a consequence of their investigations;**
- **e. it would operate in cooperation with base/wing units of the military police and with other supporting units for logistical and administrative support;**
- **f. review and oversight of its operations would be the responsibility of the Vice Chief of the Defence Staff facilitated by an annual report from the Director General Security and Military Police.**

Dickson 1-15: We recommend that all security clearance services required by the Canadian Forces be provided separately from service offence investigations and, if necessary, they be contracted to appropriate agencies such as the Canadian Security Intelligence Service.

Dickson 1-16: We recommend that detention of up to thirty days be retained as a possible punishment for offences in respect of which a member has elected to be tried by summary trial.

Dickson 1-17: We recommend that, whenever an election is given to an accused to be tried by court martial rather than summary trial, the accused be afforded a right to consult with legal counsel to ensure that the election is made on the basis of full and complete information and that the election be set out in writing.

Dickson 1-18: We recommend that, upon a Canadian Forces member being sentenced to detention following a summary trial, the member's rank and salary be reduced to that of a private during the period of detention, but that both the rank and salary be reinstated to original levels upon completion of the sentence.

Dickson 1-19: We recommend that, whenever reduction in rank is awarded as a punishment following a summary trial, the reduction be limited to one rank below that of the accused at the commencement of the trial.

Dickson 1-20: We recommend removal of the requirement for punishment warrants in respect of certain punishments that a commanding officer may impose at a summary trial.

Dickson 1-21: We recommend that the powers of punishment of a delegated officer be increased to include a fine of up to twenty-five percent of the monthly pay of the accused.

Dickson 1-22: We recommend that the punishment of confinement to ship or barracks be limited to master corporals and below.

Dickson 1-23: We recommend that increased training and education be introduced for all commanding and delegated officers to ensure that they are knowledgeable about their roles in the military justice system and competent to perform them. But for exceptional circumstances, those officers should not be permitted to preside at a summary trial unless certified to do so by the Judge Advocate General.

Dickson 1-24: We recommend that sufficient legal training and simple work instruments be provided to all officers and non-commissioned members who may be called upon to perform the role of assisting officer so that they will be in a position to provide adequate assistance to the accused.

Dickson 1-25: We recommend that an officer be prohibited from presiding at a summary trial of a person charged with a service offence if the officer has been involved in the investigation or the laying of the charge.

Dickson 1-26: We recommend that uniform records of summary trials be prepared and publicized on a regular basis throughout the Canadian Forces.

Dickson 1-27: We recommend that the Office of the Chief Military Trial Judge be organized as an independent unit of the Canadian Forces and that the role and responsibilities of the Chief Military Trial Judge be set out in the *National Defence Act*.

Dickson 1-28: We recommend that the sentencing function at a court martial be performed by the judge presiding at the court martial.

Dickson 1-29: We recommend that non-commissioned members of the rank of warrant officer and above be eligible to serve on Disciplinary and General Courts Martial, provided that the non-commissioned member is equal or senior in rank to the accused.

Dickson 1-30: We recommend that the *National Defence Act* be amended to remove the death penalty from the scale of punishments.

Dickson 1-31: We recommend that the *National Defence Act* be amended to remove the three-year limitation period in respect of service offences and to provide that an accused tried by court martial has the benefit of any limitation period

applicable to a civil offence incorporated in the Code of Service Discipline.

Dickson 1-32: **We recommend that the *National Defence Act* be amended to prescribe a one-year limitation period for any offence tried by way of summary trial.**

Dickson 1-33: **We recommend that, in all cases where an accused has elected to be tried by summary trial, the accused, if convicted, have the right to request that the appropriateness of the conviction and/or sentence be reviewed by the next level of command.**

Dickson 1-34: **We recommend that the *National Defence Act* be amended to repeal the sections that provide for a review of the proceedings of a court martial by the Judge Advocate General where the appeal period has expired, and no appeal has been made.**

Dickson 1-35: **We recommend that an independent office of complaint review and system oversight, such as a military ombudsman, be established within the Canadian Forces, and that it report directly to the Minister of National Defence.**

Dickson 2-1: **We recommend that the authority conferred upon the Minister of National Defence by ss. 159(2) and 159(3) of the *National Defence Act* in respect of pre-trial custody be abolished and be given instead to military trial judges.**

Dickson 2-2: **We recommend that the power of the Minister of National Defence to designate an officer not below the rank of colonel as an approving authority pursuant to ss. 163(3) of the *National Defence Act* be repealed.**

Dickson 2-3: **We recommend that the authority of the Minister of National Defence to appoint or prescribe superior commanders provided for in ss. 164(1) of the *National Defence Act* be abolished and that it be given instead to the Chief of the Defence Staff.**

Dickson 2-4: **We recommend that the authority to convene General and Disciplinary Courts Martial conferred onto the Minister of National Defence by s. 165 of the *National Defence Act* be abolished and that it be vested in the Chief Military Trial Judge to be exercised upon request by the independent Director of Prosecutions.**

Dickson **We recommend that the authority of the Minister of National Defence to appoint military trial judges for fixed terms be retained.**

2-5:

Dickson 2-6: **We recommend that the independent Director of Prosecutions be authorized to decide whether or not civilians who are subject to the Code of Service Discipline should be tried by a Special General Court Martial and that the Minister of National Defence's powers in this regard be abolished.**

Dickson 2-7: **We recommend that the Minister of National Defence's authority pursuant to section 101.09 of the *QR&Os* to order a joint trial, or to appoint an officer for the purpose of making such an order, should be revoked. Such authority should be vested in the independent Director of Prosecutions. The right of an accused to apply to a military judge, or to a judge assigned by the Chief Military Trial Judge, to be tried separately, should be provided for in the *National Defence Act.***

Dickson 2-8: **We recommend that ss. 202.26(e) of the *National Defence Act* be repealed and that the authority to appeal a finding that a person is not a "dangerous mentally disordered accused" be transferred to the independent Director of Prosecutions.**

Dickson 2-9: **We recommend that ss. 140(g) of the *National Defence Act* relating to the imposition of hard labour as punishment be repealed.**

Dickson 2-10: **We recommend that the requirement set out in ss. 206(2) of the *National Defence Act* for ministerial approval of the punishment of dismissal and dismissal with disgrace be abolished.**

Dickson 2-11: **We recommend that the powers of clemency given to the Minister of National Defence by the *National Defence Act* be transferred to the Governor in Council and that these be modeled, as much as possible, on the similar powers contained in the Criminal Code of Canada.**

Dickson 2-12: **We recommend that the decision to proceed or not with a new trial be vested in the independent Director of Prosecutions, and that the Minister of National Defence's authority in this regard be abolished.**

Dickson 2-13: **We recommend that the authority of the Minister of National Defence to exercise the suspending power provided for in section 215 of the *National Defence Act* be abolished and that this power be expressly vested in all service tribunals.**

Dickson 2-14: **We recommend that the authority of the Minister of National Defence pursuant to section 230.1 and ss. 245(2) of the *National Defence Act* to exercise a right of appeal from appellate courts be abolished and be exercised instead by the independent Director of Prosecutions.**

Dickson 2-15: **We recommend that the authority of the Minister of National Defence to adjudicate on grievances arising from summary trial findings, prescribed pursuant to section 29 of the *National Defence Act,* be repealed.**

Dickson 2-16: **We recommend that appropriate structures be put in place promptly to ensure that the Minister of National Defence has available, within the Department of National Defence, independent legal advice from the Attorney General of Canada.**

Dickson 2-17a: **We recommend that an independent review of the implementation of the changes recommended in this Report and in our March 1997 Report be undertaken before the end of 1999; and**

Dickson 2-17b: **We recommend that an independent review of the legislation that governs the Department of National Defence and the Canadian Forces be undertaken every five years following the enactment of the legislative changes required to implement the recommendations contained in this Report and in our March 1997 Report.**

MND 4: **Immediately begin implementation of all of the Special Advisory Group's recommendations requiring only the updating of regulations and other administrative documents.**

MND 5: **Table amendments to the *National Defence Act* in the next Parliament to allow for the full implementation of the rest of the Special Advisory Group's report.**

MND 6: **Seek amendments to the *National Defence Act* to create an independent review board as final arbiter in the grievance process and to streamline grievance procedures.**

MND 7: **Ensure that all improvements in the grievance process not requiring amendments to the *National Defence Act* are implemented immediately.**

Som 40.1: The *National Defence Act* be amended to provide for a restructured military justice system, establishing three classes of misconduct:

a. Minor disciplinary: Any misconduct considered minor enough not to warrant detention, dismissal or imprisonment should be considered minor disciplinary misconduct. Examples might include a failure to salute and quarrelling with another Canadian Forces member. Minor disciplinary misconduct would not include service offences now listed in the *Queen's Regulations and Orders* (*QR&O*) 108.31(2);
b. Major disciplinary: Any misconduct considered serious enough to warrant detention, dismissal or imprisonment should be considered major disciplinary misconduct triable only by a court martial. This would include infractions such as some of those listed in *QR&O* 108.31 (2). Examples might include being drunk while on sentry duty during a time of war, insubordination and showing cowardice before the enemy. Major disciplinary misconduct would not include crimes under the *Criminal Code* or other federal statutes; and
c. Criminal misconduct: Any misconduct that would constitute a crime and is to be the subject of a charge under the *Criminal Code* or other federal statute or foreign law, and triable only by court martial or a civil court.

Som 40.2: To prevent abuse of the commanding officer's discretion to determine into which class the misconduct falls, there be formalized safeguards provided for in the *National Defence Act* and regulations, including the possibility of independent military investigations into the misconduct, the authority of an independent military prosecutor to lay a charge for criminal misconduct arising out of the same incident, and the oversight performed by an independent Inspector General.

Som 40.4: The *Queen's Regulations and Orders* be amended to circumscribe the discretion of a commanding officer with respect to the manner of conducting summary investigations to ensure that these investigations are conducted according to the guidelines in *Canadian Forces Administrative Order* 21-9, dealing with general instructions for boards of inquiry and summary investigations.

Som 40.5: The guidelines in *Canadian Forces Administrative Order* 21-9 be amended to provide that

a. summary investigations be restricted to investigation of minor disciplinary misconduct or administrative matters;
b. those conducting summary investigations have some minimum training standard in investigations, rules of evidence, and the recognition of

potential criminality;

c. those conducting summary investigations have a specific duty to report matters of potential criminality directly to Military Police; and

d. those conducting summary investigations be free from any conflict of interest.

Som 40.6: **Military Police be independent of the chain of command when investigating major disciplinary and criminal misconduct.**

Som 40.7: **Military Police be trained more thoroughly in police investigative techniques.**

Som 40.8: **All Military Police, regardless of their specific assignment, be authorized to investigate suspected misconduct of their own accord unless another Military Police investigation is under way.**

Som 40.9: **Control of the conduct of Military Police investigations of major disciplinary and criminal misconduct be removed from the possible influence of the commanding officer or the commanding officer's superiors. Military Police attached to units or elements of the Canadian Forces should refer major disciplinary and criminal misconduct to the Director of Military Police through dedicated Military Police channels.**

Som 40.10: **The Director of Military Police oversee all Military Police investigations of major disciplinary and criminal misconduct and report on these matters to the Solicitor General of Canada.**

Som 40.11: **The Director of Military Police be responsible and accountable to the Chief of the Defence Staff for all Military Police purposes, except for the investigation of major disciplinary or criminal misconduct.**

Som 40.12: **Commanding officers have the power to request Military Police to investigate any misconduct, but commanding officers have no power to control the method of the investigation or limit the resources available to Military Police conducting investigations.**

Som 40.13: **The Director of Military Police and all Military Police under the command of the Director have a system of ranking different from the general Canadian Forces system, so that Military Police are not seen or treated as subordinate to those they are investigating.**

Som 40.14: **Professional police Standards and codes of conduct be developed for Military Police.**

Som 40.15: **To give effect to these new policing arrangements, Military Police be given adequate resources and training to allow them to perform their tasks.**

Som 40.16: **Adequate numbers of appropriately trained Military Police accompany Canadian Forces deployments.**

Som 40.17: **In general, the results of investigations into all types of misconduct — minor disciplinary, major disciplinary or criminal — be reported to the commanding officer of the unit or element to which the Canadian Forces member concerned belongs.**

Som 40.18: **Results of investigations of major disciplinary and criminal misconduct be reported to an independent prosecuting authority under the direction of the Director General of Military Legal Services.**

Som 40.20: **The commanding officer have the right to lay charges for minor disciplinary misconduct.**

Som 40.21: **An independent prosecuting authority decide whether to lay charges for major disciplinary and criminal misconduct and have the responsibility for laying charges.**

Som 40.22: **The prosecuting authority be independent in determining whether to charge and prosecute. However, guidelines should be developed to assist in the exercise of prosecutorial discretion.**

Som 40.24: **Commanding officers have no authority to dismiss charges laid by the independent military prosecutor.**

Som 40.25: **The independent military prosecutor have authority to lay charges for minor disciplinary offences when the prosecutor deems it useful to prosecute multiple acts of misconduct, including minor disciplinary misconduct, at the same trial.**

Som 40.26: **An accused person have a right to counsel when prosecuted for major disciplinary or criminal misconduct.**

Som 40.27: **The standard of proof at a trial for major disciplinary or criminal misconduct be proof beyond a reasonable doubt.**

Som 40.28: **There be no right to counsel in respect of minor disciplinary misconduct, since detention, dismissal or imprisonment would not be a possibility, but the right to counsel may be permitted at the discretion of the commanding officer.**

Som 40.31: **Punishments such as fine options, community service and conditional sentences, which have been made available in the civilian criminal process, be available within the military for minor and major disciplinary and criminal misconduct.**

Som 40.32: **Formal rules be established to permit appeals of summary trials of minor disciplinary misconduct by way of redress of grievance.**

Som 40.34: **The *Queen's Regulations and Orders* be amended so that the Minister of National Defence has no adjudicative role in redress of grievance matters.**

Som 40.35: **The *National Defence Act* be amended to:**

a. **replace the office of the Judge Advocate General with two independent institutions:**
    i. **the office of the Chief Military Judge, to assume the judicial functions now performed by the office of the Judge Advocate General; and**
    ii. **the office of the Director General of Military Legal Services, to assume the prosecution, defence and legal advisory roles now performed by the office of the Judge Advocate General;**

b. **specify that the office of the Director General of Military Legal Services consists of three branches: a Directorate of Prosecutions, a Directorate of Advisory Services, and a Directorate of Legal Defence;**

c. provide that the Director General of Military Legal Services report to the Minister of National Defence;
d. provide that the Chief Military Judge and all other judges be civilians appointed under the federal *Judges Act;* and
e. state that judges trying serious disciplinary and criminal misconduct are totally independent of the military chain of command.

Som 40.39: **To the extent that the regulations and orders contained in the *Queen's Regulations and Orders* and *Canadian Forces Administrative Orders* can be made public without compromising overriding interests such as national security, the *Queen's Regulations and Orders* and *Canadian Forces Administrative Orders* be published in the *Canada Gazette*.**

Som 40.40: **Adequate numbers of legal officers be deployed with units to allow them to perform their respective functions — prosecution, defence, advisory — without putting them in situations of conflict of interest.**

Som 40.41: **Legal officers receive increased training in matters of international law, including the Law of Armed Conflict.**

Som 40.42: **Legal officers providing advisory services be deployed on training missions as well as actual operations.**

Som 40.43: **Legal officers providing advisory services guide commanding officers and troops on legal issues arising from all aspects of operations, including Rules of Engagement, the Law of Armed Conflict, Canadian Forces Organization Orders and Ministerial Organization Orders.**

Som 40.44: **Legal officers providing advisory services educate Canadian Forces members before and during deployment on local law, the Law of Armed Conflict, and Rules of Engagement.**

Som 40.45: **A Law of Armed Conflict section of legal officers be established and staffed as soon as possible within the office of the Judge Advocate General and moved to the office of the Director General of Military Legal Services once that office is established.**

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CHAPTER 7 —
OPERATIONAL ISSUES

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Recommendations

This chapter examines ministerial decisions dealing with how the CF is committed to, trained for and led on operations. Operations are the essence of a military force and all other activities engaged in by the CF and DND are geared to these ends.

From the time the *Committee* was appointed on October 14, 1997 and up to the writing of this report in the Spring of 1999, all CF operations consisted of training for, and mounting, deployments such as CCSFOR (the Canadian contribution to the enforcement of the Dayton Peace Accords in Bosnia) or CCUNDOF (the Canadian contingent contributing to the maintenance of a separation of forces agreement between Israel and Syria on the Golan Heights). The *Committee* undertook to monitor the implementation of ministerial decisions — most of which came about as the result of recommendations made by the Somalia Inquiry — regarding ongoing rotations to meet commitments already undertaken. To this end, the *Committee* studied the preparations, including unit training, made by the Fourth Rotation (Roto 4) of CCSFOR which deployed to the Canadian AOR (Area of Responsibility) in Bosnia beginning in January 1999. It was the intention of the *Committee* to "follow" Roto 4 to Bosnia in early April 1999 to study that battle group's compliance, in the field, with further ministerial recommendations. The start of the Operation Allied Force bombing campaign, however, interfered with those plans and, as of this writing, a monitoring mission to Bosnia has still not been carried out.

In October 1998, the Prime Minister announced that Canadian CF-18 fighter jets previously deployed to Aviano Italy, would take part in any NATO bombing campaign then being planned to force Yugoslav compliance with a NATO-brokered agreement between the Federal Republic of Yugoslavia and representatives of the OSCE. Those aircraft did engage in such operations beginning on March 24, 1999. Further to NATO's mission in the Balkans, the Prime Minister announced on April 27, 1999, that Canada would send a contingent of some 800 CF personnel to Macedonia as part of a potential NATO "Kosovo Force" (KFOR) being formed to deploy into Kosovo in the event of a cease-fire agreement. The entering into combat of Canada's air force and the deployment of CCKFOR (the Canadian Contingent to KFOR) were thus the first totally new significant peace support operations undertaken by the CF since the appointment of this *Committee*. For this reason, the *Committee* feels compelled to comment on these deployments in this *Interim Report*. Our views should be read, however, in the context of the following circumstances:

1. Some oral and documentary information gathered by the *Committee* is classified.

2. Neither the air nor the land operations were undertaken under the auspices of the United Nations and, at the time of commencement, neither fell under Chapter VI or Chapter VII provisions of the UN Charter.
3. Neither the air nor the land operations were continuations through rotation of prior missions.
4. The time frame in the mounting of both the air and land operations was determined by the Government of Canada operating in conjunction, politically and militarily, with its NATO Allies and was not predictable in the same sense as a scheduled rotation of CCSFOR personnel to Bosnia.
5. The overall mission was determined by Canada's desire to meet NATO political and military requirements, but these requirements were subject to changes in the political situation in the Balkans prior to the commencement of Operation Allied Force and to the military situation after the commencement of combat operations.
6. Ultimately, the essence of the CF's existence is operational deployment. Since the air and land deployments to the Balkans were not predictable (as mentioned above) but had to be undertaken according to the dictates of events, the fact that certain ministerial decisions regarding operational deployments may not have been followed to the letter should be understood to be a consequence of the necessity to react to rapidly changing events rather than evidence that the CF did not launch its operations properly. Indeed, the information gathered by the *Committee* indicates that the CF was well prepared to initiate these two specific combat missions.

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Kosovo Air Operations

The *Monitoring Committee* considers the air mission, which consisted of the deployment of a contingent of CF-18s, to have been carried out in accordance with appropriate procedures. These jets initially deployed in the summer of 1998 in response to a NATO request for a Canadian contribution to an increased air presence in the Balkans. They were available in early 1999 when tensions escalated in the former Republic of Yugoslavia. Because the CF-18s had been modified to carry precision-guided munitions, they were able to participate in OP ALLIED FORCE from the outset. Pilots and aircrew received appropriate mission-specific training on the aircraft and the new munitions. NATO ROEs previously signed onto by Canada (with Canadian modifications) applied, and Canada was fully privy to NATO intelligence.

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The Kosovo Air/Land Contingent for KFOR

The contingent that now is deployed in Macedonia is part of a Kosovo Force (KFOR) raised to augment the UK's 4th Armoured Brigade. The Canadian Contingent consists of the reconnaissance squadron from Lord Strathcona's Horse (Royal Canadians), engineers, and a unit from 408 Tactical Helicopter Squadron. In addition, the contingent has both a National Command Element and a National Support Element. The contingent was generated and trained in the Army's Western Area. At the time of this writing, the contingent's mission is to support KFOR in its role in monitoring or enforcing the military provisions of a cease-fire agreement in Yugoslavia.

The raising and preparation of the elements of Canada's contribution to KFOR adhered substantially, but not totally, to the Minister's decisions laid out in this chapter. This contingent's mission, chain of command and composition were clearly set out in orders. Given the political situation on the ground and the time frame involved, the CF did its best to address other essential pre-deployment procedures such as mission-specific training, which included training on ROEs. Several reconnaissance missions to Macedonia were conducted by the contingent commander and others. The contingent is well equipped to gather local intelligence and will receive up-to-date intelligence from NATO or UK 4th Armoured Brigade. In addition, personnel were closely screened with a view to ensuring that appropriate disciplinary Standards will be followed. The Area Commander responsible for generating the force was unable to comply fully with all accepted recommendations, as might have been the case under different circumstances. For example, in-depth cultural training was not provided to members of the contingent, although this was at least partially offset by the fact that virtually everyone in the contingent has served at least one tour in the Balkans.

It must also be recognized that this was an especially difficult contingent to assemble. It is not an organic unit, like a battle group trained and equipped as a single entity and moved into theatre as such. Rather, the CF contingent is composed of disparate elements which fit into NATO requirements within a very short timeframe.

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Command Structure (Som 17.1-17.5, 25.11, 25.12)

Decisions

In his response to the Somalia Report in October 1997, the Minister clarified several aspects of policies relating to the command structure employed by the Department and the Canadian Forces:

- The Chief of the Defence Staff (CDS) is responsible to confirm in doctrine and in orders that the chain of command is the sole mechanism for transmitting orders and directions to the Canadian Forces. The CDS also ensures that staff officers are never part of the chain of command and have no authority to issue orders other than those executed in the name of their respective commanders. Furthermore, the CDS is responsible for the ongoing improvement of mechanisms for review, confirmation and publishing of the chain of command.
- The integrity of the chain of command is also maintained by the CDS who assures that technical networks, such as legal, medical or engineering specialist networks, are not part of the chain of command.
- The CDS is responsible for the promulgation of guiding principles and concepts for the command of CF contingents on international operations. These guidelines are an inherent part of training for commanders and are used in preparing orders for

commanders of specific missions.
- The CDS ensures that CF contingent commanders possess clear orders clarifying the chain of command within the contingent, between the CF contingent and allied commanders, and between the contingent and other elements of the CF.
- National joint staff training would be enhanced and exercised routinely to test and evaluate the performance and integrity of the national chain of command in potential or planned operational scenarios. Exercises would highlight staff procedures, doctrine, planning and the role of staff officers at NDHQ and in the chain of command.
- The recording and management of information would be improved and standardized to track decisions made by senior officers during all stages of planning and operations.

Status

In its 1998 *Interim Report,* the *Committee* outlined the doctrinal basis of the CF's response to these decisions. Since that time, another strategic level planning exercise has been held, along the lines of Exercise STRATEGIC STAR. High command within the Department and CF continues to be validated by exercises conducted under the National Joint Training Plan (NJTP). Exercises VIGILANT OVERVIEW and VIGILANT GUARDIAN were conducted in 1998, and will continue annually, although demands relating to Y2K have curtailed the conduct of these operations for 1999.

Observations

The *Committee* is satisfied that the provisions and orders concerning command structure for CF operations are now sound and clearly fulfill the requirements of the Minister's direction. Orders and terms of reference for the current rotation to Bosnia, for example, were unambiguous in this regard. In addition, interviews with the commanding officers of the various elements of the Canadian Contingent in Bosnia, including those of the Battle Group and National Support Element, have confirmed that the directed measures are in place. The *Committee* believes it is important for DND to continue these national level exercises to test and maintain the integrity of the chain of command at all levels.

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Accepting the Mission (Som 24.3, .4, .6, .7, 25.13-25.16)

Decisions

In October 1997, the Minister made decisions and clarified policy relating to how military advice is gathered and used in the decision-making process leading up to the acceptance of a proposed mission. The Department of National Defence, through the Minister, provides a comprehensive statement of how peace support operations guidelines and criteria apply to a proposed operation. Furthermore:

- If possible, the CF carries out a detailed reconnaissance for every new mission.
- Canadian participation in United Nations peace support operations is contingent upon a mission analysis based on several military requirements.

- The Government of Canada advocates reform of United Nations operational procedures and planning.
- The CDS and DND in general maintain established guidelines relating to defining missions and matching force requirements to those missions and objectives before committing to them.

Status

In November, the *Committee* reported the measures undertaken by DND and the Government of Canada in advocating reform of UN operational procedures and planning.

Canadian Forces doctrine contains provisions for defining missions, providing adequate resources for those missions, and conducting detailed *reconnaissance* for new missions.

Observations

While it is the prerogative of government to accept or reject specific missions, the intent of these decisions was to put into place a regime for accepting missions that involves or, in some cases, requires, military input into the decision-making process. Furthermore, once a decision is made to accept a given mission, these ministerial decisions lay out a format for: defining the objectives of the mission; outlining the tasks necessary to complete the mission; conducting detailed *reconnaissance* of the area of proposed operations; and completing estimates of force requirements before committing the forces and imposing personnel ceilings on the contingent or group.

These recommendations have been implemented and are now standard practice. Although the *Committee* has not yet completed work in this area, what has been seen to date indicates that progress has been made.

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Operational Planning (Som 25.1, .2, .8, .9, .17-.19, .23-.26)

Decisions

The Minister's response to the Somalia Report dealt with the Somalia Inquiry's concerns and recommendations involving operational planning. The Minister indicated that the CDS would reinforce the primary importance of battle procedure (the process used by commanders to select, warn, organize and deploy troops for missions) as the proper basis for operational training at all levels. This principle, the Minister stated, would be emphasized in staff training. Furthermore, where differences exist between Canadian principles of planning, commanding and conducting operations and those that may come into force when the CF deploys on an international operation, the CDS must clarify which are to be followed. To further this reasoned and rational basis for operational planning, and accountability therein, all plans are to be evaluated at all levels before deployment. Plans and procedures and, ultimately, conduct of operational deployment, are to be based on standing operating procedures, as determined by the CDS.

Recognizing the distinction between requirements for combat operations and peace support operations, the Minister decided to develop mission-specific doctrine to guide the intelligence-gathering process for each case. The CDS is responsible to ensure that an appropriate number of intelligence personnel and intelligence support personnel is determined as part of planning doctrine. Of some significance, the Government of Canada decided to lobby the United Nations to expand its peacekeeping planning division to include an intelligence organization to support peace support operations.

The Minister also addressed logistical issues. The CDS is responsible for ensuring that logistical requirements for a mission are determined only after the size and composition of the CF force are finalized, and a reconnaissance of the ground is complete. Any changes to the site of a given mission must be based on military considerations. Finally, a National Support Element, essentially an integrated support unit, is established as a separate unit of every CF force deployed on a mission.

Status

The *Committee* reported in November 1998 that the doctrinal basis for these decisions was contained in the *CF Operations Manual,* the *CF Operations Process Manual,* instructions to Commanders of Canadian Forces Deployed Operations and the *Army's Land Force Intelligence Manual.* National Support Elements have been deployed with Canadian units since Somalia.

Observations

The *Committee* is satisfied that CF doctrine meets the requirements of the decisions related to operational planning.

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Operational Chain of Command (Som 25.3-25.7, 25.10)

Decisions

In October 1997, the Minister confirmed that Canadian military Standards and criteria are the basis for national, full and operational commands in the CF. When deployed, mission commanders are provided concrete orders and terms of reference by the CDS, which are related to mission statement, terms of employment, the chain of command and how support elements fit into the mission. The Minister also stated that the CDS would clarify the DCDS's place in the chain of command, and relevant duties and responsibilities as they apply. To address the concerns of the Somalia Inquiry, the Minister announced that the CDS would establish better control and administration of the CF, in keeping with a responsibility already outlined in the *National Defence Act.* The CDS would also be responsible for supplying deployed commanders with "precise orders and unambiguous reporting requirements and lines to ensure that Canadian laws and norms are respected." The Minister emphasized that the CDS is already responsible for setting out the criteria for the selection, employment and terms of reference for CF contingent commanders.

Status

These recommendations have been addressed in CF operations manuals and CF practices.

Observations

The *Committee* has examined terms of reference for Canadian contingents and conducted several interviews regarding operational chain of command. We are able to report that relevant measures have been incorporated into doctrine. However, the *Committee* will reserve its final evaluation pending further on-site visits.

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Pre-Deployment Training and Operational Readiness (Som 21.1-21.18; 23.3-23.10)

Decisions

In October 1997, the Minister announced a number of decisions related to the standardization of pre-deployment training for peace support operations. These initiatives include mission-specific training, the allocation of sufficient time for such training and the systematic compilation and dissemination of lessons learned into doctrine and practice. Pre-deployment training is also to be carried out on the basis of a clearly defined mission and statement of tasks. The Minister also stated that, while not accepting a recommendation of the Somalia Inquiry that the CDS submit a formal declaration to the Government regarding the readiness of specific units to undertake given missions, the objectives of the recommendation would be achieved by other means. In addressing the concerns of the Somalia Inquiry, the Minister stated that the CDS would develop a protocol to ensure the appropriate participation of intelligence staff in cultural training programs for deploying units.

Environmental Chiefs of Staff, for instance, must declare units operationally ready before being deployed by the CDS, who is accountable to the Minister for such decisions. The Minister also verified that the CDS has a staff which conducts spot-checks of selected commands, units and sub-units of the CF.

The CDS is responsible for the standardization of format, information and directions involved in declarations of operational readiness. These, in turn, must be signed-off by commanders. Measurements for the various components of 'operational readiness' evaluations were also to be established by the CDS, in conjunction with replacing the Operational Readiness Evaluation System by a "more reliable and efficient process." This new process would give senior commanders and staff officers a "real-time" picture of the operational readiness of major CF units as related to their assigned tasks. The reporting system would measure and evaluate the degrees of effectiveness of given units (i.e., high, medium, low), in order to determine readiness for a given mission.

Status

Standards and processes for pre-deployment training are outlined in CF doctrine and carried out in current practice.

The Department's original concept of a tool to evaluate operational readiness, or the Operational Readiness Evaluation System, has been overtaken by events. The Department is pursuing these decisions within the context of establishing a Performance Measurement Framework for the DND and the CF.

Observations

The *Committee* is satisfied that appropriate pre-deployment training was carried out for Roto 4 to Bosnia as part of the NATO-led Stabilization Force (SFOR). The Commanders of the Canadian Contingent, the Battle Group and the National Support Element were all present during training, and have followed both the letter and spirit of the decisions related to pre-deployment training. Mission-specific training was carried out appropriately, and amplified by the lessons learned by the first three rotations to Bosnia. The *Committee* observes that the Joint Staff within the DCDS group and the Area and Brigade staffs which generated the contingent, the Commanding Officers of the Contingent and their troops have discharged their duties in concert with the ministerial decisions.

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Rules of Engagement (ROEs) (Som 22.1-22.7)

Decisions

In his response to the Somalia Report, the Minister announced that the CDS would set out a framework for the development of ROEs. The Minister also stated that "generic" rules of engagement would be produced based on international and domestic law, Law of Armed Conflict, domestic foreign policy and operational requirements. Furthermore, he made various commitments concerning the ROEs:

- The establishment of a database of other nations' ROEs.
- Improved training in ROEs, including that done in-theatre in response to changes to ROEs.
- A system, under the responsibility of the CDS, to ensure that ROEs are monitored and that they are disseminated to and understood by all ranks.
- Verification and testing for mission-specific ROEs be incorporated into the process for declaring a unit operationally ready for deployment.

Status

In 1996, the DCDS released a two-part manual, *The Use of Force in Canadian Forces Operations*, which outlines definitions and principles guiding the rules of engagement for the CF. Generic (i.e., not mission-specific) Rules of Engagement are contained in this manual. The Joint Plans and Operations Directorate, attached to the DCDS, maintains an information bank concerning allies' ROEs.

Observations

The *Committee* is satisfied that the CF has fulfilled the requirements of the decisions dealing with generic ROEs. In preparation and training for Roto 4 undertaken in Canada, ROEs were dealt with in a manner commensurate with the Minister's decisions. The *Committee* still must determine if this is the case in the field. The CF appears to have taken the matter of appropriate and timely distribution of mission-specific ROEs seriously. Such an approach must continue to be followed in future missions.

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Disciplinary Standards During Deployment (MND 43-45; Som 25.20)

Decisions

In March 1997, the Minister announced three decisions related to the use of alcohol by deployed CF contingents. Alcohol would be restricted in terms of its location, count and timing. During emergencies or other periods of heightened tension, the commander would order total abstinence. The commander would also have to seek NDHQ approval for in-theatre alcohol policies prior to deployment, which would improve the consistency of such policies for similar missions.

Status

Various guidance documents have been issued regarding the use of alcohol by deployed troops. The *Committee* is satisfied that a reasonable documentary basis is in place for the alcohol-related recommendations.

Observations

In its 1998 *Interim Report*, the *Monitoring Committee* offered some general impressions of disciplinary Standards they made during their initial visit to Bosnia. The *Committee* is satisfied that disciplinary and alcohol policies are in place, but further 'in field' observations would confirm the extent to which they are being applied.

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Other Training (MND 39, 40, 41, 42)

Decisions

The Minister also undertook to implement a National Joint Training Plan (NJTP) to improve and expand joint tri-service training. Along those lines, he made a commitment to devote more resources to training above the unit level (battle group, air squadron, and naval task group), and to place more emphasis on joint and combined operations.

Two specific training areas were also addressed. The Minister decided to issue a CF-wide instruction to improve training in the handling of detainees and prisoners of war, interrogation and conduct after capture. Training in the Laws of Armed Conflict (LOAC) and ROEs would also be improved through the CF's educational and development programs.

Status

The NJTP is discussed above under the section 'Command Structure'. Training requirements for the LOAC have been identified, but not yet incorporated into training. This should be completed during summer 1999.

Observations

The *Committee* will continue to monitor the Department's efforts to increase emphasis on, and devote more resources to, training above the unit level. We also await more information on how training on LOAC and ROEs will be integrated into training programs. These issues are vital to the 'jointness' of the CF, in both letter and spirit, and we urge the Department and the CF to consider them within that context.

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Operational Records (Som 39.1, 39.2)

Decisions

In his response to the Somalia Inquiry, the Minister announced that National Defence Operations Centre (NDOC) logs would adhere to the use of standard operating procedures, quality control and secure data systems. He also announced a series of measures to improve the archiving of in-theatre operational records.

Status

DND reports that the NDOC has always kept a log of operations. Since 1996, the NDOC has used a secure, non-erasable electronic log that allows each record to be traced to its originator. The CDS ensures that procedures are reviewed regularly, and that proper training on the system is standard procedure.

However, DND/CF policy on document retention and disposal is still being developed. Work is ongoing in conjunction with the National Archives of Canada to improve document management.

Observations

The retention of records and tracking of information not only improves the information available for individual decisions within the defence organization, but also generally improves the institutional memory of the organization itself. This is vital, because the corporate memory of smaller units within the Department is too often almost exclusively embodied in the individual memories of staff members who regularly change positions. This is good for neither the Department nor the CF. Efforts to improve the means by which history can be maintained and nurtured must be taken seriously by leadership. After all, institutional memory involves more than just the keeping of records (it also serves the requirements of a 'learning organization' that embraces experiences, both good and bad, as benchmarks of success and failure that can enhance the structures of decision-making and accountability.

The *Monitoring Committee* will continue to examine this issue.

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RECOMMENDATIONS

MND 21: **Respond later this year to the recommendations to be submitted by the newly-created Non-Commissioned Members' Professional Development Council chaired by the Canadian Forces Chief Warrant Officer on the training needs of non-commissioned members across the Canadian Forces.**

MND 39: **Implement this year a National Joint Training Plan to improve and expand joint training by naval, land and air forces.**

MND 40: **Devote more resources to training above the unit level (battle group, air squadron, naval task group) and place more emphasis on joint and combined operations.**

MND 41: **Issue shortly a Canadian Forces-wide instruction to improve training in the handling of detainees and prisoners of war, interrogation and conduct after capture.**

MND 42: **Place greater emphasis on training in the laws of armed conflict and rules of engagement for all officers through the Officer Professional Development Program and related examinations, staff college courses and instruction at environmental training institutions.**

MND 43: **Restrict the location, amount and timing of alcohol consumption.**

MND 44: **Provide for periods of total abstinence during emergencies or periods of concentrated operations.**

MND 45: **Require contingent commanders to seek national headquarters approval of proposed in-theatre alcohol policy prior to deployment, so as to ensure that similar Standards will apply to comparable missions.**

Som 17.1: **The Chief of the Defence Staff:**

a. **confirm in orders and in doctrine that the chain of command is the sole mechanism for transmitting orders and directions to the Canadian Forces;**
b. **confirm in doctrine and in orders that staff officers are never part of the chain of command and have no authority to issue orders except in the name of their respective commanders; and**
c. **in the case of a specific operation, improve existing mechanisms for reviewing, confirming and publishing the chain of command.**

Som 17.2: **The Chief of the Defence Staff ensure that technical networks, such as legal, medical or engineering specialist networks, do not interfere with or confuse the chain of command between commanders.**

Som 17.3: **The Chief of the Defence Staff establish general concepts and principles for the command of Canadian Forces contingents on international operations. These concepts and principles should then be instilled through training and used to frame particular orders for commanders of specific missions.**

Som 17.4: **For greater clarity, and to remedy deficiencies in existing practices, the Chief of the Defence Staff ensure that all commanders of Canadian Forces contingents destined for international operations are given operations orders concerning the chain of command:**

a. **within the contingent;**
b. **between the Canadian Forces contingent and allied commanders; and**
c. **between the deployed contingent and the Chief of the Defence Staff or subordinate commanders.**

Som 17.5: The Chief of the Defence Staff conduct national training exercises routinely to test and evaluate the Canadian Forces chain of command in likely or planned operational settings.

Som 21.1: The Canadian Forces training philosophy be recast to recognize that a core of non-traditional military training designed specifically for peace support operations (and referred to as generic peacekeeping training) must be provided along with general purpose combat training to prepare Canadian Forces personnel adequately for all operational missions and tasks.

Som 21.2: Generic peacekeeping training become an integral part of all Canadian Forces training at both the individual (basic, occupational and leadership) and collective levels, with appropriate allocations of resources in terms of funding, people, and time.

Som 21.3: The Chief of the Defence Staff order a study to determine how best to integrate the full range of knowledge, skills, attitudes, and values required for peace support operations at all stages of individual and collective training for both officers and non-commissioned members.

Som 21.4: The Canadian Forces recognize, in doctrine and practice, that peace support operations require mental preparation and conditioning that differ from what is required for conventional warfare, and that the training of Canadian Forces members must provide for the early and continuous development of the values, attitudes and orientation necessary to perform all operational missions, including peace support operations.

Som 21.5: The Chief of the Defence Staff ensure that the development of comprehensive training policies and programs for peace support operations makes greater use of a broad range of sources, including peacekeeping training guidelines and policies developed by the UN and member states, and the training provided by police forces and international aid organizations.

Som 21.6: The Chief of the Defence Staff order that the mandates of all Canadian Forces institutions and programs involved in education and training be reviewed with a view to enhancing and formalizing peace support operations training objectives.

Som 21.7: **Recognizing steps already taken to establish the Peace Support Training Centre and Lessons Learned Centres, the Chief of the Defence Staff make provision for the co-ordination of and allocation of adequate resources to the following functions:**

a. **continuing development of doctrine respecting the planning, organization, conduct and evaluation of peace support operations training;**
b. **development of comprehensive and detailed training Standards and standardized training packages for all components of peace support operations training;**
c. **timely distribution of current doctrine and training materials to all personnel tasked with planning and implementing peace support operations training, and to all units warned for peace support operations duty;**
d. **timely development and distribution of mission-specific information and materials for use in pre-deployment training;**
e. **systematic compilation and analysis of lessons learned, and updating of doctrine and training materials in that light;**
f. **systematic monitoring and evaluation of training to ensure that it is conducted in accordance with established doctrine and Standards; and**
g. **provision of specialist assistance as required by units in their pre-deployment preparations.**

Som 21.8: **The Chief of the Defence Staff oversee the development of specialist expertise within the Canadian Forces in training in the Law of Armed Conflict and the Rules of Engagement, and in intercultural and intergroup relations, negotiation and conflict resolution; and ensure continuing training in these skills for all members of the Canadian Forces.**

Som 21.10: **The Chief of the Defence Staff integrate a minimum standard period of time for pre-deployment training into the planning process. In exceptional cases, where it may be necessary to deploy with a training period shorter than the standard minimum, the senior officers responsible should prepare a risk analysis for approval by the Chief of the Defence Staff. In addition, a plan should be developed to compensate for the foreshortened training period, such as making provision for the enhanced supervision of pre-deployment training activities, a lengthened acclimatization period, and supplementary in-theatre training.**

Som 21.11: **The Chief of the Defence Staff confirm in doctrine and policy the recognition of sufficient and appropriate training as a key aspect of operational readiness.**

Som 21.12: **Contrary to experience with the Somalia deployment, where general purpose combat training was emphasized, the Chief of the Defence Staff confirm in doctrine and policy that the pre-deployment period, from warning order to deployment, should be devoted primarily to mission-specific training.**

Som 21.13: **The Chief of the Defence Staff establish in doctrine and policy that to facilitate pre-deployment training focused on mission-specific requirements, units preparing for peace support operations be provided, on a timely basis, with:**

a. a clearly defined mission and statement of tasks;
b. up-to-date and accurate intelligence as a basis for forecasting the conditions likely to be encountered in theatre;
c. mission-specific Rules of Engagement and Standing Operations Procedures; and
d. a sufficient quantity of vehicles and equipment, in operational condition, to meet training needs.

Som 21.14: **The Chief of the Defence Staff establish mechanisms to ensure that all members of units preparing for deployment on peace support operations receive sufficient and appropriate training on the local culture, history, and politics of the theatre of operations, together with refresher training on negotiation and conflict resolution and the Law of Armed Conflict, as well as basic language training if necessary.**

Som 21.15: **The Chief of the Defence Staff establish in doctrine and policy that no unit be declared operationally ready unless all its members have received sufficient and appropriate training on mission-specific Rules of Engagement and steps have been taken to establish that the Rules of Engagement are fully understood.**

Som 21.16: **The Chief of the Defence Staff ensure that training Standards and programs provide that training in the Law of Armed Conflict, Rules of Engagement, cross-cultural relations, and negotiation and conflict resolution be scenario-based and integrated into training exercises, in addition to classroom instruction or briefings, to permit the practice of skills and to provide a mechanism for confirming that instructions have been fully understood.**

Som 21.17: **The Chief of the Defence Staff establish in doctrine and policy that an in-theatre training plan be developed for any unit deploying on a peace support operation. The plan should provide for ongoing refresher training and remedial training in areas where deficiencies were noted before deployment and be modified as required to meet changing or unexpected conditions in theatre.**

Som 21.18: **Canadian Forces doctrine recognize the personal supervision of training by all commanders, including the most senior, as an irreducible responsibility and an essential expression of good leadership. Canadian Forces doctrine should also recognize that training provides the best opportunity, short of operations, for commanders to assess the attitude of troops and gauge the readiness of a unit and affords a unique occasion for commanders to impress upon their troops, through their presence, the Standards expected of them, as well as their own commitment to the mission on which the troops are about to be sent.**

Som 22.1: **The Chief of the Defence Staff create a general framework for the development of Rules of Engagement to establish the policies and protocols governing the production of such rules.**

Som 22.2: **The Chief of the Defence Staff develop and promulgate generic Rules of Engagement based on international and domestic law, including the Law of Armed Conflict, domestic foreign policy, and operational considerations.**

Som 22.3: **The Chief of the Defence Staff establish and implement policies for the timely development of mission-specific Rules of Engagement and ensure that a verification and testing process for the Rules of Engagement is incorporated in the process for declaring a unit operationally ready for deployment.**

Som 22.4: **The Chief of the Defence Staff ensure that the Canadian Forces maintain a data bank of Rules of Engagement from other countries, as well as Rules of Engagement and after-action reports from previous Canadian missions, as a basis for devising and evaluating future Rules of Engagement.**

Som 22.5: **The Chief of the Defence Staff develop Standards for scenario-based, context-informed training on Rules of Engagement, both before a mission and in theatre, with provision for additional training whenever there is confusion or misunderstanding.**

Som 22.6: **The Chief of the Defence Staff develop and put in place a system for monitoring the transmission, interpretation and application of the Rules of Engagement, to ensure that all ranks understand them, and develop an adjustment mechanism to permit quick changes that are monitored to comply with the intent of the Chief of the Defence Staff.**

Som **The Chief of the Defence Staff ensure that any change in the Rules of Engagement, once disseminated, result in further training.**

22.7:

Som. 23.1: **The Chief of the Defence Staff ensure that Standards for evaluating individuals, units and elements of the Canadian Forces for operational tasks call for the assessment of two necessary elements, operational effectiveness and operational preparedness, and that both criteria be satisfied before a unit is declared operationally ready for any mission.**

Som. 23.2: **To avoid confusion between readiness for employment and readiness for deployment on a particular mission, the Chief of the Defence Staff adopt and ensure adherence to the following definitions throughout the Canadian Forces: Operational effectiveness is a measure of the capability of a force to carry out its assigned mission. Operational preparedness is a measure of the degree to which a unit is ready to begin that mission. Operational readiness of any unit or element, therefore, should be defined as the sum of its operational effectiveness and preparedness.**

Som 23.3: **Contrary to the experience of the Somalia mission, the Chief of the Defence Staff ensure, before any Canadian Forces unit or element of any significant size is deployed on active service or international operations, that a formal declaration is made to the Government regarding the readiness of that unit to undertake the mission effectively.**

Som 23.4: **The Chief of the Defence Staff establish a staff, under CDS authority, to conduct no-notice tests and evaluations of the operational effectiveness and preparedness of selected commands, units and sub-units of the Canadian Forces.**

Som 23.5: **The Chief of the Defence Staff order that national and command operational orders issued to Canadian Forces units tasked for active service or international operations state precisely the Standards and degrees of operational effectiveness and operational preparedness demanded of individuals, sub-units, units, and commanders.**

Som 23.6: **The Chief of the Defence Staff standardize format, information, and directions concerning declarations of operational readiness and require such declarations to be signed by commanders.**

Som 23.7: **The Chief of the Defence Staff establish clear, workable and standard measurements of operational effectiveness and preparedness for individuals, sub-units, units, and commanders in units and formations of the Canadian**

Forces.

Som 23.8: **The Chief of the Defence Staff replace the Operational Readiness Evaluation System with a more reliable and efficient process aimed at collecting information about the effectiveness and preparedness of major units of the Canadian Forces for assigned operational missions.**

Som 23.9: **The new readiness reporting system be capable of giving the Chief of the Defence Staff, senior commanders and staff officers a real-time picture of the effectiveness and preparedness of major operational units of the Canadian Forces for their assigned tasks.**

Som 23.10: **The new operational readiness reporting system identify operational units as being in certain degrees of effectiveness and preparedness, such as high, medium and low, and in certain states of readiness, such as standby-ready and deployment-ready.**

Som 24.3: **In briefings or advice to the Government relating to participation in a peace support operation, the Government of Canada require a comprehensive statement of how the peace support operations guidelines and criteria apply to the proposed operation.**

Som 24.4: **The Chief of the Defence Staff develop Canadian Forces doctrine to guide the planning, participation, and conduct of peace support operations.**

Som 24.6: **The Government of Canada adopt the policy that Canadian participation in United Nations peace support operations is contingent upon:**

- **a. completion of a detailed mission analysis by the Chief of the Defence Staff each time Canada is asked to participate in a peace support operation; and**
- **b. inclusion in the mission analysis of the following elements: a determination of troop strengths, unit configuration, resource requirements, and weapons and other capabilities.**

Som 24.7: **The Government of Canada, as part of its foreign and defence policy, advocate reform within the United Nations, particularly in the following areas:**

- **a. development of a process to ensure that the mandates of United Nations operations, as adopted by the United Nations Security Council, are clear, enforceable and capable of achieving the goals of the mission; and**

b. development of a process to enhance the current planning structure at the United Nations to improve co-ordination of peace support operations through proper development of concepts of operations and strategic planning.

Som 25.1: **To redress the planning problems earmarked by the Somalia mission, the Chief of the Defence Staff reinforce the importance of battle procedure (the process commanders use to select, warn, organize, and deploy troops for missions) as the proper foundation for operational planning at all levels of the Canadian Forces, and that the importance of systematic planning based on battle procedure be emphasized in staff training courses.**

Som 25.2: **Contrary to recent experience, the Chief of the Defence Staff enunciate the principles that apply to planning, commanding and conducting operations by the Canadian Forces in each international operation where these differ from national principles of planning, commanding and conducting operations.**

Som 25.3: **The Chief of the Defence Staff ensure that all states of command, such as national command, full command and operational command, are defined on the basis of Canadian military Standards and criteria.**

Som 25.4: **For each international operation, the Chief of the Defence Staff issue clear and concrete orders and terms of reference to guide commanders of Canadian Forces units and elements deployed on those operations. These should address, among other things, the mission statement, terms of employment, command relationships, and support relationships.**

Som 25.5: **The Chief of the Defence Staff clarify the duties and responsibilities of the Deputy Chief of the Defence Staff and, in particular, identify precisely when the Deputy Chief of the Defence Staff is or is not in the chain of command.**

Som 25.6: **In light of the Somalia experience, the Chief of the Defence Staff assert the authority of the Chief of the Defence Staff under the *National Defence Act,* to establish better "control and administration" of the Canadian Forces, taking appropriate steps to ensure that the Chief of the Defence Staff has adequate staff assistance to carry out this duty.**

Som 25.7: **The Chief of the Defence Staff provide commanders deployed on operations with precise orders and unambiguous reporting requirements and lines to**

ensure that Canadian laws and norms are respected.

Som 25.8: **The Chief of the Defence Staff ensure that all plans for the employment of the Canadian Forces be subject to operational evaluations at all levels before operational deployment.**

Som 25.9: **The Chief of the Defence Staff establish standing operating procedures for**

- **a. planning, testing and deploying Canadian Forces in domestic or international operations; and**
- **b. the conduct of operations by the Canadian Forces in domestic or international operations.**

Som 25.10: **The Chief of the Defence Staff establish principles, criteria and policies governing the selection, employment and terms of reference for commanders appointed to command Canadian Forces units or elements in domestic or international operations.**

Som 25.11: **The Chief of the Defence Staff conduct training and evaluation exercises to prepare and test staff procedures, doctrine, planning and staff officers in National Defence Headquarters and in the chain of command.**

Som 25.12: **The Chief of the Defence Staff establish a uniform system for recording decisions taken by senior officers during all stages of planning for operations. The records maintained under this system should include a summary of the actions and decisions of officers and identify them by rank and position. The records should include important documents related to the history of the operation, including such things as estimates, reconnaissance reports, central discussions, orders, and casualty and incident reports.**

Som 25.13: **The Chief of the Defence Staff or the Chief of the Defence Staff's designated commander identify and clarify the mission goals and objectives before commencing calculation of the force estimate.**

Som 25.14: **The Chief of the Defence Staff base the force estimate for a given mission on the capacity of the Canadian Forces to fulfill the demands of the operation, as determined after a mission analysis has been completed and before recommending that Canadian Forces be committed for deployment.**

Som 25.15: **The Chief of the Defence Staff develop a formal process to review force requirements once any Canadian Forces unit or element arrives in an operational theatre.**

Som 25.16: **To remedy deficiencies in existing practices, before committing forces to an international operation, commanders should:**

a. **clearly establish the military mission as well as the tasks necessary to achieve the mission;**
b. **return to the practice of preparing military estimates before developing the organization and composition of forces to be employed in operational theatres;**
c. **be required to undertake a thorough reconnaissance of the specific area where the forces are to deploy; and**
d. **accept that in the interests of deploying a force that is appropriate, well balanced and durable, proper estimates of the requirements be completed before forces are committed and personnel ceilings are imposed.**

Som 25.17: **The Chief of the Defence Staff develop specific doctrine outlining the intelligence-gathering process for all peace support operations, to be separate and distinct from the doctrine covering intelligence gathering for combat. This doctrine should include:**

a. **a statement confirming the purpose and principles of intelligence gathering for all peace support operations, from traditional peacekeeping to peace enforcement. Where required, a differentiation would be made between the strategic stage, the decision-making stage, and the operational planning stage of the operation;**
b. **a statement confirming the sources of information appropriate for use in the intelligence-gathering process;**
c. **a section outlining anticipated use of intelligence in peace support operations, during both the decision-making stage and the operational planning stage;**
d. **a section outlining the intelligence planning process during the various stages of planning, establishing what needs to be done and by whom, including any procedures required to develop an intelligence plan for the mission or intelligence support for the training of troops; and**
e. **a section describing the dissemination process for all stages, including the manner of dissemination and the personnel involved.**

Som 25.18: The Government of Canada urge the United Nations to expand its peacekeeping planning division to include an intelligence organization within the secretariat that would serve to co-ordinate the intelligence required for peace support operations, including maintenance of an information base on unstable regions available for use by troop-contributing countries.

Som 25.19: The Chief of the Defence Staff ensure that planning doctrine includes appropriate assessment methodology to determine sufficient numbers of intelligence personnel and intelligence support personnel (interpreters) for the operation. In accordance with existing doctrine, the presence of intelligence personnel in the advance party should be ensured.

Som 25.20: The Chief of the Defence Staff develop guidelines and procedures for ensuring that cultural training programs are appropriately supported by the intelligence staff by providing adequate and appropriate resources for the intelligence staff well in advance of the operation.

Som 25.22: The Chief of the Defence Staff review the organization and process for intelligence planning to ensure maximum communication and efficiency in the intelligence-gathering and dissemination processes.

Som 25.23: To remedy deficiencies in existing practices, the Chief of the Defence Staff ensure that logistical planning is finalized only after the mission concept is developed, the size and composition of the Canadian contingent is estimated, and a full reconnaissance of the area of operations has been undertaken.

Som 25.24: The Chief of the Defence Staff provide guidelines stipulating that sufficient time be taken to assess any changes in areas of operation. Such guidelines should include the stipulation that military considerations are paramount in decisions to change the proposed mission site after materiel has been packed and logistics planning completed for the original site.

Som 25.25: When a change in mission is contemplated, the Chief of the Defence Staff ensure that new logistical contingency plans are completed before the new mission is undertaken.

Som 25.26: The Chief of the Defence Staff ensure that a National Support Element (that is, an integrated logistics support unit) is included as a separate unit at the commencement of every mission undertaken by the Canadian Forces.

Som 39.1: **The Department of National Defence ensure that the National Defence Operations Centre logs are properly maintained, by implementing the following:**

- **a. an audit procedure to ensure that standing operating procedures provide clear and sufficient guidelines on the type of information to be entered and how the information is to be entered;**
- **b. an adequate data base system, which includes software controls to ensure accurate data entry in each field and appropriate training for operators and users of this system; and**
- **c. increased system security to an acceptable standard compatible with the objective of national security, including restricting access to authorized persons using only their own accounts and passwords and extending the use of secure (hidden) fields to identify persons entering or deleting data.**

Som 39.2: **The Department of National Defence and the Canadian Forces take steps to ensure that an adequate record of in-theatre operations is created and preserved thereafter by:**

- **a. establishing better systems and procedures to ensure a more complete and permanent record of events, including the recording of each day's activity or inactivity, so that every date is accounted for, to avoid the appearance of non-reporting or deleted records;**
- **b. training soldiers to appreciate the importance of the log and diary and their responsibility to follow proper procedures in creating, maintaining, and protecting the record;**
- **c. providing better procedures for supervising the maintenance of records in theatre to ensure adherence to established procedures;**
- **d. improving the integration of secure data collection and storage systems to ensure the integrity of records created; and**
- **e. ensuring that data banks are sufficient and include accurate information concerning individual taskings; the start and finish dates of each log and diary; and the location of records.**

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CHAPTER 8 —
THE RESERVES AND CADET ISSUES

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Recommendations

Augmenting the Regular Force (SCRR 1, 2)

Decisions

The Minister accepted SCRR recommendations which call for Area commanders to task Militia units to provide formed platoons and/or sections for incorporation into Regular Force units deploying for peace keeping duties. Furthermore, where practical, junior Militia officers were to be employed in command positions, rather than in liaison or staff roles, when assigned to United Nations and other operations.

Status

The *Monitoring Committee*'s 1998 *Interim Report* noted the Army Commander's policy statement concerning the 20 percent limit of reserve contribution to deployed operations placed on deploying commanders. On September 2, 1998, however, Armed Forces Council (AFC) decided to modify the guidelines for the utilization of Reserves on deployed operations, eliminating the specific percentage ceilings on the use of reservists. Nonetheless, the AFC did confirm that a 20 percent planning figure for reservists would remain in place to guide contingency plans and force structure development.

Observations

In its first *Interim Report,* the *Monitoring Committee* expressed concern that contingent commanders had little motivation to include formed Militia elements in augmentation roles. The *Committee* is in receipt of no evidence that this situation has changed, and is disappointed that no efforts appear to be in the works to encourage change. The Militia would no doubt be boosted both in spirits and status within the Army community if formed platoons and sections were included in levels one and two mobilization, at the very least, and given ample warning and resources to prepare for deployment on a continuing and rotational basis. Such a planning and deployment regime would enhance reserve leadership and training, in addition to exposing Militia units to some of the problems involved in mobilization planning and operational readiness likely in stages three and four of mobilization. Until such a commitment has been made by the Army Commander, the *Committee* can not help but disagree with the view that this recommendation has been implemented.

The *Monitoring Committee* will continue to examine this issue.

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The Basis for Mobilization (SCRR 4, 5)

Decisions

The 1994 Defence White Paper outlined a new, four-stage framework for mobilization planning. The structure provides for "a graduated and orderly transition from routine peacetime operations to higher levels of involvement, which ultimately could include the total mobilization of the nation." The four stages are as follows: force generation, force enhancement, force expansion and national mobilization.

The Minister directed the Department of National Defence to draft and implement a national mobilization plan "with all dispatch." The Minister also decided that the definition of stages three and four in the four phase mobilization scheme set out in the 1994 White Paper should be amended immediately to reflect clearly defined roles for the Reserve Force, and especially the Militia, as the basis for recruitment, training and the provision of formed units required in the event of a major conflict.

Status

Canada follows the NATO definition of mobilization:

- The act of preparing for war or other emergencies through assembling and organizing national resources; the process by which the armed forces or part of them are brought to a state of readiness for war or other national emergency. This includes assembling and organizing personnel, supplies and material for active military service.

There has been some work on mobilization planning since the *Committee* remarked on the slow progress that had occurred in this area prior to the *Interim Report* in November 1998. Previous guidance from the VCDS on mobilization planning, mentioned in the *Committee*'s last report, was deemed to be unachievable by the Department. However, in December 1998, the Chief of the Defence Staff (CDS) briefed the Standing Committee on National Defence and Veterans' Affairs (SCONDVA) on a new Mobilization Framework, which was issued by the VCDS as an action directive on March 18, 1999. The Department has decided to abandon development of a national mobilization plan per se, and has instead created a framework within which environmental planning can proceed. The Planning Framework was reviewed at the Command and Group Principal level, which will continue to review the framework on an annual basis. The Department insists that the creation of a national mobilization plan is not feasible or useful, and that it will not be completed until the "operational situation and a number of other factors are known." The role of the reserves is addressed generally in terms of how their activities would relate to escalating levels of mobilization.

Observations

The Reserves have three fundamental roles within the Canadian Forces: to serve as the basis of national mobilization; to augment the Regular Force; and to act as the military's link to the community. These roles are not mutually exclusive. Maintaining a link to the community, for example, facilitates the ability of the Reserves to prepare for their ultimate purpose of national mobilization by recruiting, training and maintaining a level of operational readiness. Exposure to the military informs Canadians, which is a requirement for public support of the military. Units, sub units, sub-sub units and individuals who are equipped, motivated and trained for national mobilization are also the most able to move into augmentation roles.

While the three roles of the reserves may not be separable, it must be noted that, without proper emphasis on their national mobilization role, the Army reserves in particular will continue to be at the mercy of Regular Force priorities, and the operational base from which they would expand will continue to decline. The SCRR recommended the drafting and implementation of a mobilization plan, based on a corps and divisional structure, as a means to put an end to that regression. The Department's choice not to draft such a plan, preferring instead to devise a rather sparse framework of vague intentions to guide mobilization, is therefore inadequate and disappointing. The recommendation has not been fulfilled, and the Reserves have no more of a defined role in the stages of mobilization than was in place before the framework was drafted. Indeed, there are no detailed assignments of formed Militia units whatsoever; as a consequence, the Mobilization Framework contributes little to the aforementioned recommendation concerning the deployment of formed Militia units on peacekeeping operations.

The *Monitoring Committee* is therefore puzzled why the Department has decided not to embrace the opportunity to engage itself, the CF and other government agencies and non-governmental organizations (NGOs) in the development of a comprehensive national mobilization plan. The Department's contention that such planning can only be done when a situation has arisen is also puzzling. The purpose of planning is to identify likely 'situations' and to devise methods, processes and, most importantly, force structures, to respond to them. Such planning is invaluable not only to the development of intellectual rigour in the CF, but also to the Department's ability generally to forecast commitments, measure necessary resources and communicate Canada's military requirements to the Canadian Government and public.

As it stands, the *Monitoring Committee* is unable to accept the Department's insistence that these recommendations are implemented, and urges the Department to reconsider its hesitancy to devise a national mobilization plan.

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Restructuring the Militia (SCRR 6-16)

Decisions

In order to address chronic administrative and command deficiencies, the Minister decided in

October 1996 to restructure the Militia. The restructuring process is multi-tiered and complex, and has been altered by decisions subsequent to the SCRR Report. Between November 1995 and March 1996, the Department reviewed that Report, recommendations from the Standing Committee on National Defence and Veterans Affairs (SCONDVA) and the Senate Sub-Committee on Veterans Affairs and the Director General (Program Evaluation) Report E2/94 on implementation of the Total Force concept within the CF.

Restructuring is to occur along the following lines:

- elimination of Districts to be replaced by seven Militia Brigade Groups (presently increased to ten), commanded by an officer of the rank of colonel;
- retention of four existing Area Headquarters, but reorganized as and renamed Divisional Headquarters;
- assessment of the viability of Militia units to be the basis of restructuring, and to be based on the following factors: operational requirements; capacity to recruit and retain effective strength; capacity to train individually and collectively; regular force support; cost effectiveness; historical performance and battle honours, and footprint and link to the community;
- implementation of Total Army Establishments (TAE) (i.e., a common rank structure in place for Militia and Regular Force units);
- land Force Command to develop a restructuring plan;
- command and control over recreated Militia field signals units be returned to Land Force Command as early as possible;
- new Contingency Support Wing (CSW) units to be reviewed so that redundant Militia units can be considered for CSW roles; and
- a force of 18,500 Primary Reserves (with the capacity to expand to 20,500).

The Minister acknowledged that it would also be necessary to assess the allocation and control of Militia funding. The Minister accepted four recommendations in that area. First, he decided that every Militia unit would be guaranteed funding of four training days per month for each of its effective members for the September-May period. The units, for their part, must devote the money entirely and directly to training their members. Second, he directed that the level of funding necessary to exercise command, control and administration of units be quantified, and that units be funded accordingly. Third, he stated that any delegation of tasks (such as collective training) to units must be accompanied by the necessary funds. Finally, he determined that increased authority and flexibility should be delegated to Reserve units to manage the operations and maintenance costs of their units and their infrastructure.

Status

The number of brigade groups stands currently at ten, with a planned reduction to nine in November 1999. The Army has also decided to retain Area Headquarters (HQs), and has not implemented the recommendation to rename them Divisional Headquarters. The Chief of the Land Staff (CLS) reports that the use of Area HQs as the basis of Divisional HQs in stage four mobilization will be considered.

The CLS, as chair of the Command Consultative Working Group, has decided to keep field signals under the domain of the Defence Information Services Organization (DISO). The status quo relationship between Land Force Command and the Communications Reserve will remain. Headquarters and Signals squadrons in the Reserves Brigades will not be formed.

The *Committee* reported in November 1998 on the various stages in restructuring that had occurred to that point. The CLS has since issued a planning guidance in February 1999 that will guide the development of the Land Force Reserve Restructure (LFRR) Master Implementation Plan. The document lays out in broad terms the parameters for the remainder of the restructuring program.

A recent force structure proposal has also been made available to the *Committee*, and this seems to imply a dramatic reduction in the total number of reserve units, as well as those in combat-related areas.

Observations

The *Committee* shares the opinion of the SCRR that the Army should revert to the practice of commanding its own field signals units, and is concerned that the Army has decided not to implement this recommendation. Furthermore, the Army's decision not to rename and reorganize Area HQs as Divisional HQs is disappointing, and not along the lines of the SCRR recommendation. By not doing so, the corps structure, which Land Force Command (LFC) contended in its initial analysis of the SCRR report would be the basis of its stage four mobilization planning, will not be reflected in Army organization. Area HQs are force generators, and are not intended to serve as the operational division HQ. It is very difficult to make the connection, therefore, between the Army's original stance that it will plan for a corps structure for mobilization without organizing its command structure on that basis. This is additionally problematic because the Mobilization Planning Framework referenced above tasks the environmental commands with developing plans based on the guidelines provided.

The *Monitoring Committee* has observed that the restructuring of the Militia has not proceeded based on mobilization or operational requirements. This approach would have required a mobilization plan first and foremost, with assigned Militia tasks and units, before proceeding with restructure. Put simply, mobilization planning on a corporate CF and DND basis should have been the foundation of restructure, rather than an add-on consideration that will have no direct effect on the organization of the Militia as it will stand after the process is completed.

Consultation with the Reserve community, including Honourary Colonels and Reserves 2000, appears to have reached an impasse. Based on the testimony given to SCONDVA last December and in April 1999, it is clear that the Reserve community and the Army are not communicating on general matters pertaining to restructure, such as mobilization, operational structure and *raison d'être* of the Reserves. Given that such consultation was an integral part of the CLS's Commander's Intent for LFRR issued in September 1996, the *Monitoring Committee* is concerned that stakeholders are not being engaged fully in the process. The Reserves role as link to the community, at the very least, is no doubt being compromised by this lack of communication between the Army and the Reserve community.

In its first *Interim Report*, the *Monitoring Committee* noted its concerns that resource shortfalls might inhibit individual units' capacity to recruit, train and retain soldiers, thereby compromising their ability to perform to the best of their ability during the viability assessment period. Based on the interim unit evaluation reports and related information gathered by the *Monitoring Committee,* we must conclude that cutbacks have affected many units' ability to recruit, train and retain troops, while severely curtailing both mandated numbers of parade days at the unit level, and collective training for reserve units. The latter is an essential ingredient in the maintenance both of operational integrity and the effectiveness of individual training. Initial restructuring parameters included commitments that funding to units would remain intact throughout the LFRR. This has not been the case.

A new funding model is, however, being designed and tested to address some of the concerns raised by the *Monitoring Committee* in its last *Interim Report.* It is too soon to comment on the utility of that model, but it is encouraging to see initiatives that could lead to steady-state funding of the Reserves receiving some attention. However, it is also of note that the Army has not been able to provide the *Monitoring Committee* with detailed information regarding the effects of budget cuts, referenced in the 1998 *Interim Report,* on units engaged in the restructuring process. There is concern in the Reserve community about this issue, and the *Monitoring Committee* continues to observe that the Reserves are not included in the front-end of the budget-making apparatus for the Army. It is becoming increasingly evident that the accountability problems highlighted in the *Committee*'s last report, which concerned the allocation of funding at the Area level and related command and control deficiencies, have not been addressed or even acknowledged. Without the operational requirements of a mobilization plan being laid down in concrete terms, this situation is unlikely to change.

The *Committee* will continue to review the LFRR process throughout its mandate.

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Supplementary Reserves, the Cadets and the Canadian Rangers (SCRR 18-23)

The **Supplementary Reserve** consists of officers and NCMs who are former members of other components within the CF. Its purpose is to augment the regular forces when required, for example, during a national emergency.

The **Canadian Cadet Organizations** comprise youth between the ages of 12 and 18 who undertake training to develop physical and mental skills and learn about the Sea, Land and Air elements of the CF.

The **Canadian Rangers** provide a military presence in remote and isolated communities where there is no permanent CF presence.

The **Bold Eagle Program** originated in Saskatchewan and was later extended throughout the Prairie provinces. It represents an attempt to recruit Aboriginal Canadians into the CF Reserve.

Decisions

The Minister did not accept the recommendation that CF retirees, both officers and NCMs, automatically be enrolled in the Supplementary Reserves. He did, however, announce that personnel honourably released from the Canadian Forces would retain their service uniform. He also decided to continue and enhance the Canadian Rangers Program, and to continue the Bold Eagle Program for two years, at which point a decision would be made on its continuance. The Minister decided that the Cadet Instructor Cadre (CIC) would remain a component of the Reserve Force, and to consider seriously including an NCM component in the CIC. He also decided that the modest increase in financial support for the Cadet Program indicated in the 1994 White Paper on Defence should remain departmental policy, and to review the overall command and control of the Cadet Program.

Status

The *Committee* reported on Departmental activities pertaining to these recommendations in its last *Interim Report.*

Observations

The *Monitoring Committee* is extremely pleased with developments in these programs. Some comment is made elsewhere in this report (chapter four), but the *Committee* feels obligated to voice its unqualified support for the Department's work to develop Canadian youth in a supportive, disciplined and enthusiastic atmosphere. These programs are run by dedicated individuals who put an enormous amount of time and effort into their activities. They are to be commended.

The *Committee* does await information, however, about how money from the Youth Initiative will be allocated to these programs and to the Primary Reserve. The distribution of these funds is a command and control issue which reflects on the above recommendations, particularly as the LFRR process may have implications for the Cadet Corps and squadrons affiliated with Reserve units. The *Monitoring Committee* will continue to examine this issue.

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Total Force Administration of the Reserves (SCRR 25-30, 32)

Decisions

The Minister decided to adopt a number of policies to solidify the place of Reservists in the Total Force structure. The Regular Force would first attempt to meet its specialist needs by considering Reservists, and contract directly with civilians only once it was determined that the appropriate persons could not be found in the Reserves. The Minister also agreed to take all necessary steps to assist Reserve units to recruit specialists as required, and to harmonize civilian and military qualifications. To streamline administration of the Reserves, he extended Operation Red Tape, a Regular Force efficiency program, to the Reserves. In terms of training and equipment, he decided to make courses more accessible to Reservists by carving them into two to three week segments, where possible. To further integrate Regulars and Reservists, he decided that they should serve in each other's formations; that regular officers, at some point in their career, should serve with the reserves; and that staff colleges should provide places for reservists, in addition to an appropriate curriculum which deals with reserve and mobilization matters. He also decided to make the administrative membrane that divides the Regular and Reserve Force more permeable, in order to allow consecutive and uninterrupted service between the Regular and Reserve components of the CF. Finally, the Minister directed the Department and the CF to identify equipment required for training, and to make pooling arrangements so that units could access that equipment on a regular basis.

Status

The *Monitoring Committee* reported in its last report that ADM (HR-Mil) was awaiting the development of software packages to institute these reforms dealing with civilian-military qualification equivalency and the use of reservists to fill specialist needs instead of civilian contractors. Reserve information will not be loaded into the *Peoplesoft* personnel data management programme until some time in 1999-2000, and ADM (HR-Mil) estimates that it will have the ability to identify Reservists with specialist qualifications by 2003.

The *Committee* reported that the military equivalency program would be implemented by April 1999. A draft policy (a DAOD) was due to be approved in April, and the CF Equivalencies Database will be available electronically this year on the Defence Information Network (DIN) and the Internet. Each case is, and will continue to be, evaluated on a one-by-one basis. No matrices exist for the direct provision of military qualifications to civilian skill sets.

While the Director General (Reserves and Cadets) (DGRC) reports that transfer between the Reserve and Regular components of the CF is standard practice, the absence of a personnel management system for the Reserves precludes the Department from providing accurate data on the actual number of Reservists serving in Class 'C' positions. At present, there are at least 163 Reservists serving on operational duties in the Former Republic of Yugoslavia, the Golan Heights, the Central African Republic and Sinai. The CF is unable to provide similar statistics for Reservists serving in support positions (Class 'B') or in non-operational Regular Force positions. Differences among the environments also affect component transfer. Air Force units are of a total force structure and naval reservists man maritime coastal defence vessels (MCDVs), while the Army provides for Regular Force positions in Militia units.

The Action Team for Administrative Change (ATAC) continues as a Total Force/DND endeavour. Streamlining of administrative practices in the Reserves goes hand in hand, therefore, with the whole defence team.

Equipment rationalization in the Army also continues. Some re-establishment of units and equipment has already occurred, and further activity will correspond to LFRR timelines. The Air Force Reserve uses equipment as a part of its Total Force role, and Naval reservists are coursed and tasked based on their specific coastal defence role. Army reservists continue to utilize Militia Training Centres in all Areas, but plans for rationalizing their equipment await the completion of LFRR.

Observations

Progress in these areas of administration appears to be slow. The Department continues to argue that administering the Reserves is problematic because proper data and management systems are not in place to perform and facilitate the tasks. The *Committee* is concerned, however, that the Department is emphasizing the process of administering the Reserves within a Total Force and not the substance and results of administration. *Peoplesoft* is a case in point. The Department claims almost invariably that recommendations concerning the Reserves are being held in abeyance until the new personnel management software is in place. The Reserve requirement for this application has not, however, been identified. While the Department reports, therefore, that Reserve information will be loaded into *Peoplesoft* at some point in 1999-2000, it is puzzling that the system which will support the implementation of the related recommendations is not projected to be in place until 2003. It is difficult to escape the observation that Reserve issues in the personnel area of the Department remain low in terms of priorities.

The approach to these recommendations taken by the Department seems to be based on instituting 'process' rather than the meaningful intent of the SCRR recommendations. The SCRR recommended, for instance, that the Regular Force attempt to meet its specialist needs in the Reserve Force, and to use civilian specialists only as a last resort. The Commissioners intended that Reserve units be notified of such instances. The Department, however, is waiting for another three years to have a software application in place that can identify qualified reservists. Awaiting the arrival of a software panacea for administrative barriers is only one component of the activities required to implement these recommendations. The mere availability of information will not, in the end, bring about the attitudinal and institutional changes required to use the information. The *Committee* urges the Department to consider whether this observation reflects the real activity that has occurred in response to these recommendations.

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Conditions of Service (SCRR 34-40)

Decisions

The Minister made several decisions regarding the conditions of service, or 'people needs' of reservists. These policies include:

- benefits identical or equivalent to the Regular Force;
- establishment of a pay rate at 85 percent of the Regular Force rate at all ranks;
- Class C Reservists on service within Canada should not serve or be paid less than their Reserve rank when filling a position commensurate with their rank;
- a requirement for RETP (Reserve Entry Training Program) graduates to serve five years in the Primary Reserve within the first ten years of their graduation;
- immediate implementation of a revised pay system, the cost of which is not to be taken from the Reserve budget;
- continuation of the revised pay system in parallel with the RIIP (Reserves Integrated Information Project) pay system until proven satisfactory; and
- the total integration of Reserve and Regular Force pay and personnel systems.

Status

In its last report, the *Monitoring Committee* noted the progress made on the establishment of reserve pay and the work being done on overall Reserve benefits as part of the Reserve Get Well package. The Department now reports that the remaining work on benefits enhancement will be completed by the end of 1999.

A recent proposal from the Directorate of Recruiting, Education and Training (DRET) to place RETP positions on to the ECS Primary Reserve Lists has been accepted, and will be in place for September 1999. The Department is hopeful that the Environments will take more of an interest in RETP candidates after they graduate as a result.

The review of Class 'C' service pay referred to in the *Committee*'s last report is ongoing, as part of an omnibus submission to Treasury Board.

The Department reports that, by the beginning of the year 2000, a common Reserve and Regular Force pay and personnel system should be in place (OP ENTERPRISE). The Regular Force pay system is being overhauled, and will be integrated with Reserve pay by April 2001.

Observations

The Department remains tentative on how to go about integrating RETP students and graduates into overall officer requirements. The timeline for getting Reserve Pay in order appears to be satisfactory, although the *Committee* remains concerned that the cost of the revised pay system was taken from the Reserve budget, which appears to have contributed to the general funding crisis within the Militia.

In general, however, personnel issues that pertain to the Reserves appear to be acted upon by the Department as a 'square peg' which refuses to fit into the existing 'round hole'. The *Committee* does not consider it to be productive to comment on the particulars of these issues, but is compelled to offer the observation that some form of coordination and central, overarching purpose to what appear to be ad hoc changes to individual personnel policies should be put into place. It is disconcerting generally that Reservists are not included and consulted in a committed fashion as part of the process for developing reserve policies rather than as a 'client' awaiting receipt of the 'deliverable', to use current administrative jargon. If the present situation is not rectified, it is difficult to envision the fundamental concerns of the SCRR ever being addressed in a meaningful way.

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RECOMMENDATIONS

SCRR 1: **The Commission recommends that Militia units selected by Area commanders be asked to provide formed platoons and/or sections for incorporation into Regular Force units proceeding on peacekeeping duties.**

SCRR 2: The Commission further recommends that, on United Nations and other operations, junior Militia officers, wherever practical, be employed in command of troops rather than as liaison officers or in other staff positions, as now frequently occurs.

SCRR 3: The Commission recommends that all reservists returning from overseas service be entitled to an immediate disembarkation leave of two weeks, as at present, followed by six weeks of paid employment and screening with the unit with which they served.

SCRR 4: The Commission recommends that a national mobilization plan be drafted and put in place with all dispatch.

SCRR 5: The Commission recommends that the definition of stages 3 and 4 in the four-phase mobilization scheme set out in the 1994 White Paper on Defence be amended immediately to reflect clearly defined roles for the Reserve Force, and especially the Militia, as the basis for recruitment, training, and the provision of formed units required in the event of a major conflict.

SCRR 6: The Commission recommends that the Districts be eliminated and that they be replaced by seven Militia brigade groups, each commanded by an officer in the rank of Colonel.

SCRR 7: The Commission recommends that the four existing Area Headquarters be retained, but reorganized as and renamed Divisional Headquarters.

SCRR 8: The Commission recommends, in determining the relative viability of existing Militia units, that the following factors, to be applied in the context of the reduced Militia paid ceiling of 14,500 and the revised Militia structure incorporating seven brigade headquarters, must be taken into account in this order of priority:

- **a. Operational Requirements**
- **b. Capacity to Recruit and Retain Effective Strength**
- **c. Capacity to Train Individually and Collectively**
- **d. Regular Force Support**
- **e. Cost Effectiveness**
- **f. Historical Performance and Battle Honours**
- **g. Footprint and Link to the Community.**

SCRR 9: **The Commission recommends that Total Army Establishment be put in place, and that LFC Headquarters make every effort to disseminate information to units in order to correct the misinformation that surrounds this project.**

SCRR 10: **The Commission recommends the following restructuring process:**

- **That LFC direct the Area Commanders to plan their internal restructuring using the following guidelines:**
    a. **Each Land Force Area will cut its paid ceiling by approximately 25 percent, so as to move from the current paid ceiling to a new paid ceiling of 14,500 by April 1, 1999.**
    b. **Militia brigade groups, in terms of numbers of units, will be organized with some discretion within each Area.**
    c. **Units will be structured to conform to Total Army Establishment with a minimum of overhead. Each unit must constitute an effective training vehicle.**
    d. **Existing units that might be amalgamated or relegated to the Supplementary Order of Battle in this restructuring process should be, wherever practical, assigned a role in phase 4 of the mobilization plan.**
    e. **The number of armouries will be reduced to the minimum required to support the new Militia structure, with due regard being paid to cost-benefit analyses, heritage properties, sale of land and buildings where this can be done advantageously, and the urban transportation networks in the large cities. The armoury reductions might necessitate sharing of facilities by units and even by different elements of the reserves, wherever this use proves economical.**
    f. **The restructuring process will commence no later than the beginning of April 1996.**
    g. **Currently serving reservists will be direct and effective participants in the formulation of the Area plans for restructuring. The Militia, in other words, must be actively involved in determining which units remain.**
- **LFC HQ will review the Area submissions, and present its recommendations to Armed Forces Council and the Defence Council for approval no later than July 1, 1996.**

SCRR 11: **The Commission recommends that every Militia unit should be guaranteed funding of four days per month for each of its effective members to receive the required training for the September-to-May period. The unit must devote these funds entirely and directly to training its members.**

SCRR 12: **The Commission also recommends that the level of funding necessary to exercise command, control, and administration of units be quantified, and that units be funded accordingly.**

SCRR 13: **The Commission further recommends that any delegation of tasks to units (such as collective training) be accompanied by the funds necessary to execute the tasks.**

SCRR 14: **The Commission recommends that increased authority and flexibility be delegated to reserve units to manage the operations and maintenance costs of their units and their infrastructure.**

SCRR 15: **The Commission recommends that the establishment of new Contingency Support Wing units be reviewed so that redundant Militia units, if properly sited or willing to relocate, can be considered for CSW roles.**

SCRR 16: **The Commission recommends that command and control over the recreated Militia field signals units be returned to Land Force Command at the earliest possible time.**

SCRR 18: **The Commission further recommends that personnel honourably released from the Canadian Forces retain their service uniforms.**

SCRR 19: **The Commission recommends that the Canadian Rangers Program be continued and enhanced.**

SCRR 20: **The Commission recommends that the Bold Eagle Program be continued for two more years and then a decision be made on its continuance. If the Bold Eagle Program is discontinued, the Commission recommends that the Canadian Rangers Program (with its concept of operations and terms of service unchanged) be expanded to absorb the Bold Eagle scheme.**

SCRR 21: **The Commission recommends that the Cadet Instructor Cadre remain a component of the Reserve Force, and that the desirability of expanding the CIC with an NCM component be seriously considered.**

SCRR 22: The Commission recommends that the modest increase in financial support for the Cadet Program indicated in the 1994 White Paper on Defence remain departmental policy.

SCRR 23: The Commission recommends that the issue of command and control as it affects the Cadet Program be reviewed.

SCRR 25: The Commission recommends that the Regular Force first attempt to meet its specialist needs by considering the availability of such individuals from the Reserve Force, and contract directly with civilians only if it has been determined that the appropriate persons cannot be found in the reserves.

SCRR 26: The Commission recommends that all necessary steps be taken to assist reserve units to recruit the specialists that may be needed from time to time, including maximizing the harmonization of civilian and military qualifications.

SCRR 27: The Commission recommends that Operation Red Tape be extended to the Primary Reserve.

SCRR 28: The Commission recommends that training courses be made, insofar as possible, accessible to reservists by carving them into segments of two to three weeks.

SCRR 29: The Commission recommends that reservists and regulars should serve in each other's units and formations; that regular officers should at some point in their career serve with the reserves; and that the staff colleges should provide places for reservists as well as an appropriate curriculum dealing with reserve and mobilization matters.

SCRR 30: The Commission recommends that the equipment required for training be identified and that pooling arrangements be made so that units have access to that equipment on a regular basis.

SCRR 32: The Commission recommends that the administrative membrane that divides the Regular and the Reserve Forces be made more permeable so as to allow consecutive and uninterrupted service between the Regular and the Reserve components of the Canadian Forces.

SCRR 34: **The Commission recommends that, everything else being equal, reservists should receive identical or equivalent benefits to those provided to regulars.**

SCRR 35: **The Commission recommends that the Department of National Defence take immediate steps to establish reserve pay at a minimum of 85 percent of the regular pay scale for each rank.**

SCRR 36: **The Commission recommends that reservists on Class C service within Canada should not serve at or be paid less than their Reserve Force rank when they fill a position appropriate to that rank.**

SCRR 37: **The Commission recommends that, for RETP graduates, the required term of Primary Reserve service ought to be five years in the first 10 years after graduation. If such service is not secured, then all the real cost of the education received should be treated as a repayable loan.**

SCRR 38: **The Commission recommends that a revised pay system be implemented immediately, and that any incremental funds required to do so not be drawn from the reserve budget.**

SCRR 39: **The Commission recommends that the revised pay system be continued in parallel, until it is proven that RIIP operates satisfactorily.**

SCRR 40: **The Commission recommends that NDHQ consider totally integrating the pay and personnel systems for the Reserve Force and the Regular Force.**

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CHAPTER 9 — OTHER ISSUES

Defence Policy | Rank Structure | Quality of Life |
The Regimental System | ***Recommendations***

Defence Policy (MND 1, 2, 3)

Decisions

In March 1997, the Minister reaffirmed, as part of his effort to improve the leadership and management of the Armed Forces, that the Department would maintain the direction set out in the 1994 White Paper on Defence. He also confirmed that force levels of 60,000 Regulars and 30,000 Primary Reservists would be achieved and maintained. In a related decision, the Minister announced that the provision of stable and predictable funding levels to the Canadian Forces would thereafter be Government policy.

Status

The 1994 White Paper remains the guiding policy document of the Department. The Department's Defence Planning Guidance continues to reflect the White Paper's priorities, and organizes the Department's activities to that end. The Vice Chief of the Defence Staff (VCDS) reports that the target force level of 60,000 Regulars has been achieved, but the target level for Reservists has not yet been reached. These numbers will be, because of the dynamics of recruiting and training, in a state of perpetual fluctuation near the target figures. The defence budget appears to have stabilized after years of deep cuts, and this year was increased marginally to provide for the so-called Quality of Life recommendations made by the Standing Committee on National Defence and Veteran's Affairs (SCONDVA).

Observations

The *Committee* is pleased to note that the Department has reached its force targets for the Regular Force, and applauds the Department for its tenacity in implementing this part of the recommendation within the assigned timeframe. The *Committee* awaits similar action on the Reserves. It is not clear, however, that the level of funding, and its management within the Department, is adequate to maintain the direction and spirit of the 1994 White Paper. The most salient theme of that document is the commitment of the Department and the CF to maintain "multi-purpose, combat capable" forces, able to fight "against the best, alongside the best". These sentiments are admirable, and it could be argued that upgrades to the weapons and delivery systems of CF-18s have given them a new life. Their performance in combat as part of NATO's air mission in Yugoslavia proves that the CF has passed muster and can contribute to alliance operations in a meaningful role. There is no doubt that recent acquisitions by the Navy have dramatically enhanced its viability as a world-class force. The

Army has also made some improvements to its weapons and equipment, but the 'rust out' factor, highlighted by, among others, the Auditor-General of Canada, will continue to be a problem for the CF as many of its advanced systems reach obsolescence. How the Department decides to deal with the Revolution in Military Affairs, highlighted as a priority in its *Report on Plans and Priorities* for 1999-2000, could also affect both the budget and the Department's commitment to the 1994 White Paper.

Because the Government is concurrently committed to the 1994 White Paper and to stable and predictable funding levels for DND and the CF, the *Committee* would be remiss if it did not point out what appears to be an obvious relationship between these two recommendations. Stable and predictable funding must be 'sufficient' to meet White Paper objectives. Presently, there appears to be a disconnect between 'ends' and 'means' in this instance. If operational tempo continues to increase, the effects of this disconnect could be far-reaching and serious. The *Committee* therefore strongly urges the Department to be more proactive with the media and the public in communicating its perspective on the ends-means gap. Until the Government of Canada acknowledges this gap, and increases funding to the military to meet its operational requirements, the gap will remain. Therefore, these recommendations cannot be considered complete.

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Rank Structure (MND 32, 33a, 33b, 34, 35)

Decisions

The Minister made the following announcements regarding changes to the rank structure of the CF:

- By 1998, organizational changes would be completed which would further reduce the number of general and flag officers to fewer than 65.
- The rank of Army area commanders would be reduced to brigadier-general, and that of brigade group commanders to colonel.
- In order to ensure a unified Army approach to developing the Army of the future while training the Army of today, a new major-general position would be established in Kingston to oversee Army training and doctrinal development.
- The Department would undertake a study of rank inflation to improve the ratios of officers and senior Non-Commissioned Officers to Non-Commissioned Members.
- To review the pay and allowance system to ensure fair compensation — for skill and knowledge independent of rank.

Status

In its 1998 *Interim Report,* the *Committee* noted the steps taken by the Army to rationalize its Area and brigade rank structure. The Major-General position established in Kingston remains in place, but his terms of reference have been changed. The Divisional structure established in Kingston has ceased to exist. The Major-General position created in part for that role, has been allocated command of the Army Training and Doctrine System and the Joint Force

Headquarters (JFHQ).

The Major-General position will now serve as the focus for revitalizing Army training and support for the CLS concept of "one Army moving to the future." This post also serves as the Commander for the JFHQ located in Kingston. In that capacity, the present JFHQ Commander is coordinating the CF's Y2K operations, under the guise of OP ABACUS. Doctrinal development is now under the purview of the Land Force Command and Staff College (LFCSC), also located in Kingston. This item is also addressed in chapter five.

The Department has reduced the number of core positions at the general and flag officer rank to fewer than 65. Core positions include those "essential to command, control and effectively manage the CF and the DND." However, the total number of general and flag officers will fluctuate, because it includes non-permanent positions created to satisfy international or alliance commitments, and temporary professional development positions.

In general, the ratio of officers to Non-Commissioned Members has been increasing for some time. Currently, the ratio is approximately 1:4 (officers to NCMs), perhaps not extraordinary for a small force, especially in an age of advancing technology and skill requirements for an increasing number of occupations. The Department has noted that, because of its increased reliance on Reservists, the CF should be considered more of a 'force in being' rather than a 'standing force'. Accordingly, Armed Forces Council (AFC) has directed a new assessment of ratios, with the intention of devising a new officer-NCM ratio appropriate to the leaner and restructured CF.

Review of the pay and allowance system and its capacity to allow for adequate compensation for skill and knowledge independent of rank has been placed in abeyance pending the CF's evaluation of work performance being carried out under the Treasury Board-initiated Universal Classification Standard (UCS). The Department has concluded, however, that the current Canadian Forces Trade Evaluation Plan adequately compensates skill and knowledge. This conclusion was supported by an independent external consultant study.

Observations

The approach taken by the Department to meet the mandated number of general and flag officers is imaginative, but falls short of meeting the recommendation. By arguing that non-permanent positions are not to be included in the establishment totals, the CF will continue to maintain a general/flag officer corps larger than 65. On the one hand, this recommendation could be dismissed as a bean-counting exercise but, in terms of the reform program, the Department's method of implementation is worrisome because it appears to be indicative of a tendency to re-interpret recommendations to suit present conditions. This is of particular concern because the Department has not yet managed to address the issue of rank inflation and its relationship to anachronistic compensation factors fully. It should not be assumed, for instance, that an increasingly skilled workforce must necessarily be officer-heavy. Furthermore, a CF-wide understanding of rank inflation, or a reasoned and substantiated argument against the assertions that rank inflation is systemic, should have been developed before the "numbers game" response to general and flag officer totals was devised. In order to put the perennial demons to rest, a corporate approach to these systemic puzzles must be initiated and taken seriously by senior leadership, or they will continue to hinder both the perception and the reality of a floundering organization, awash in short-term reactions to exigencies rather than a dynamic, proactive force.

The *Monitoring Committee* has made several visits to the Army in Kingston and has the highest praise for the Commander of the Army Training and Doctrine System. The Commander and his staff should be commended for the work that has been done on envisioning the Army of the Future, while documenting lessons learned and re-thinking training cycles to better meet the operational requirements brought on by the unsettled and difficult post-Cold War strategic environment.

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Quality of Life (MND 46, 47, 48)

Decisions

Quality of life (QOL) has been a major subject of concern in the CF for some time. In March 1997, prior to SCONDVA's inquiry into the problem which began later that year, the Minister took several steps to improve the conditions of service for CF members. They are:

- To establish, on April 1, 1997, a Disability Compensation Information Advisory Cell, which would provide information and assistance to CF members who are released, or imminently to be released, for reasons of disability.
- To establish, by the summer of 1997, a program wherein military personnel injured while on special duty (such as on UN missions) would be given priority for employment in the public service of Canada.
- To implement a pay adjustment for CF members in April 1997.

Status

In October 1998, the SCONDVA Report on Quality of Life in the CF was released, with 89 recommendations affecting myriad personnel-related issues. On March 25, 1999, the Canadian Government tabled its response to SCONDVA, accepting all 89 recommendations in principle, and provided comment on the action it will take to implement the recommendations. Funding was provided in the federal budget and from within the existing departmental budget to address these issues. The resulting Quality of Life (QOL) program overlaps some of the recommendations reported on in the *Monitoring Committee*'s 1998 *Interim Report,* while many new initiatives enhance and bolster QOL in new ways.

The Government has responded to SCONDVA's Quality of Life Report, and the Department has received an increase in its budget to implement pay, benefits, housing and welfare improvements. Specifically, the recommendations concerning pay increases have been enhanced by SCONDVA recommendations. Furthermore, the newly established Support Centre for Injured Canadian Forces Members will cater to the intentions behind the creation of Disability Compensation Advisory Cell.

In addition, the Department's Quality of Life Project Management Office (QOLPMO), which answers to the QOL Senior Review Board (QOLSRB) has been established to take a more pro-active approach to assisting Commands and other DND agencies in the implementation of QOL initiatives under five pillars:

1. Compensation and Benefits
2. Accommodation
3. Family Support
4. Care of Injured
5. Transitions (i.e. work expectations)

Observations

The *Monitoring Committee* is pleased that the Department is placing a high priority on QOL issues. The ongoing oversight of these matters by the QOLSRB recognizes that senior management has placed a high priority on solidifying the human element of defence. The *Monitoring Committee* is satisfied that these recommendations are being acted upon by the Department in a responsible and committed manner.

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The Regimental System (MND 36, 37, 38)

Decisions

In March 1997, the Minister made three decisions affecting regimental affiliation in the Army. He decided to take steps to ensure that all army personnel properly appreciate the balance between loyalty to one's regiment and the necessary broader loyalty to the CF as a whole. He also directed the Army to end regimental affiliations for CF officers at the rank of colonel and above, and to remove regimental affiliations from all army battle schools.

Status

The *Monitoring Committee*'s 1998 *Interim Report* outlined the Army's activities to meet these recommendations.

Observations

The Army's stated vision, "one combat capable Army of proud, professional, disciplined and highly-motivated soldiers, encompassing Regular and Reserve components, supported by dedicated civilian employees, serving Canada and defending Canadian interests" is no doubt becoming a very forceful message within the Army. The Chief of the Land Staff has taken many steps to implement these recommendations not only in letter but in spirit, and the *Monitoring Committee* commends these actions.

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RECOMMENDATIONS

MND 1: Maintain the direction set out in the 1994 Defence White Paper.

MND 2: Confirm force levels of 60,000 regulars and 30,000 primary reservists.

MND 3: Provide the Canadian Forces with stable and predictable funding levels.

MND 23: Review more closely the performance of all military members at the end of their first engagement — six years for non-commissioned members, nine years for officers — and make a determination whether or not to renew their contracts.

MND 29: Begin to implement this year a policy whereby, in the future, all generals and flag officers with 27 years or more of service will have a fixed-period contract of approximately three years. At the end of that contract, they will either be offered another contract of specified duration, with or without promotion, or retire from the Canadian Forces.

MND 32: Make more organizational changes by 1998 to allow for a further reduction in the number of general and flag officers to fewer than 65.

MND 33a: Reduce the rank of army area commanders to brigadier-general and that of brigade group commanders to colonel.

MND 33b: Establish a new major-general position in Kingston.

MND 34: Undertake a study of rank inflation to improve the ratios of officers and senior non-commissioned officers to non-commissioned members.

MND 35: Conduct a review of the pay and allowance system to ensure fair compensation for skill and knowledge rather than tying it solely to rank.

MND 36: Ensure that all army personnel have a proper appreciation of the relationship between loyalty to the regiment and the necessary broader

loyalty to the Canadian Forces as a whole.

MND 37: **End regimental affiliations above the rank of lieutenant-colonel.**

MND 38: **Remove regimental affiliations from all army battle schools.**

MND 46: **Establish on April 1st, 1997 a Disability Compensation Information Advisory Cell to provide information and assistance to Canadian Forces members who are released, or about to be released, for reasons of disability.**

MND 47: **Have in place by summer 1997 a program allowing for military personnel injured while on special duty (such as on UN missions) to be given a priority for employment in the public service of Canada.**

MND 48: **Provide all Canadian Forces personnel with a further pay adjustment in April 1997. Details will be released shortly.**

Som concl. 1: **The Minister of National Defence report to Parliament by June 30, 1998 on all actions taken in response to the recommendations of this Commission of Inquiry.**

Som concl. 3: **Save for those individuals who have been disciplined for actions in relation to the deployment, all members of the Canadian Forces who served in Somalia receive a special medal designed and designated for that purpose.**

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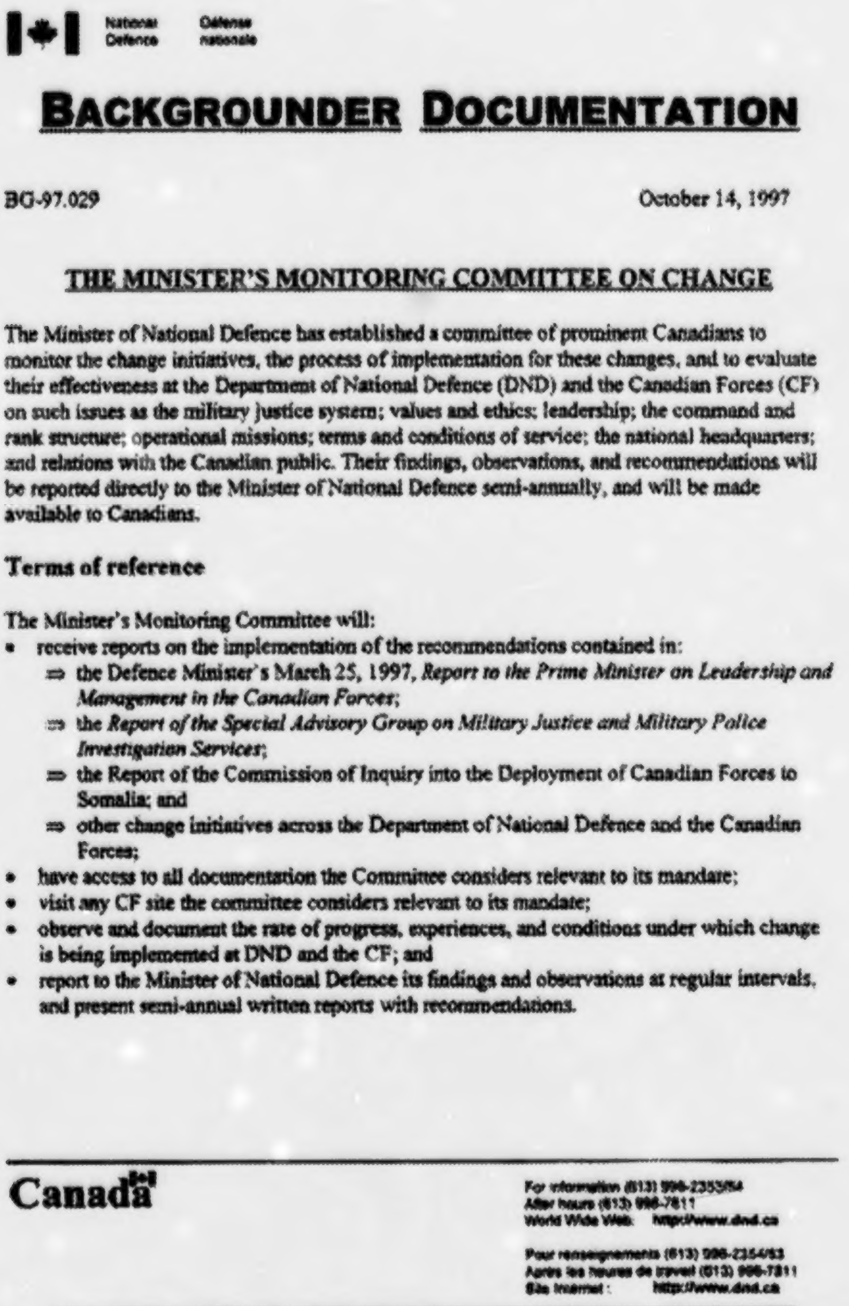
ANNEX 1 —
TERMS OF REFERENCE



National Defence Défense nationale

BACKGROUNDER DOCUMENTATION

BG-97.029 October 14, 1997

THE MINISTER'S MONITORING COMMITTEE ON CHANGE

The Minister of National Defence has established a committee of prominent Canadians to monitor the change initiatives, the process of implementation for these changes, and to evaluate their effectiveness at the Department of National Defence (DND) and the Canadian Forces (CF) on such issues as the military justice system; values and ethics; leadership; the command and rank structure; operational missions; terms and conditions of service; the national headquarters; and relations with the Canadian public. Their findings, observations, and recommendations will be reported directly to the Minister of National Defence semi-annually, and will be made available to Canadians.

Terms of reference

The Minister's Monitoring Committee will:

- receive reports on the implementation of the recommendations contained in:
    - ⇒ the Defence Minister's March 25, 1997, *Report to the Prime Minister on Leadership and Management in the Canadian Forces*;
    - ⇒ the *Report of the Special Advisory Group on Military Justice and Military Police Investigation Services*;
    - ⇒ the Report of the Commission of Inquiry into the Deployment of Canadian Forces to Somalia; and
    - ⇒ other change initiatives across the Department of National Defence and the Canadian Forces;
- have access to all documentation the Committee considers relevant to its mandate;
- visit any CF site the committee considers relevant to its mandate;
- observe and document the rate of progress, experiences, and conditions under which change is being implemented at DND and the CF; and
- report to the Minister of National Defence its findings and observations at regular intervals, and present semi-annual written reports with recommendations.

Canada

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ANNEX 2 —
BIOGRAPHIES OF COMMITTEE MEMBERS

The Honourable John A. Fraser

John Allen Fraser, P.C., O.C., O.B.C., C.D., Q.C., was born December 15, 1931, in Japan and raised and educated in British Columbia. He was called to the Bar in 1954 and practiced law until his election to the House of Commons in 1972. He was re-elected in 1974, 1979, 1980, 1984 and 1988. In opposition he served as critic on Environment, Labour, Post Office, Solicitor General and Fisheries matters. He was Minister of Environment and Postmaster General (1979-80), and then Minister of Fisheries (1984-85).

In 1986, Mr. Fraser became the first Speaker of the House of Commons to be elected by secret ballot by members of parliament. He served as Speaker until February 1994. His accomplishments as Speaker include the establishment of the Central and Eastern European Parliamentary Cooperation Program; the creation of the House of Commons Public Information Office; and the establishment of the House of Commons environmental program, Greening the Hill. In 1986, he established a House of Commons Task Force on the Disabled and Handicapped to ensure access and employment opportunities on Parliament Hill for the disadvantaged. He also commissioned the recent publication, *The House of Commons at Work*.

Over the years, Mr. Fraser has had a continuing interest in resource matters including fisheries and forestry and has demonstrated a profound commitment to environmental causes both as a lawyer and a parliamentarian. He has received a variety of national awards for his valuable contributions and tireless efforts in the area of sustainable development. In addition to these many awards, he has been active with a number of boards and foundations, and was awarded an honorary professorship from the Beijing Medical University (China) in 1992.

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Mr. Fraser has been associated with the Canadian Forces since 1950, when he first enlisted as a private soldier with the West Coast Signal Regiment. After two years with Canadian Officer Training Corps, he was commissioned as an infantry officer and posted to Germany in 1953 with the First Canadian Highland Battalion of the 27th Brigade. From 1954 to 1962, he served as an officer in both the Seaforth Highlanders of Canada and the Canadian Scottish Regiment. Mr. Fraser was appointed Honorary Lieutenant-Colonel, the Seaforth Highlanders of Canada, in 1994 and is currently the Regiment's Honorary Colonel.

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ANNEX 3 —
LIST OF ABBREVIATIONS

ADM	Assistant Deputy Minister
AFC	Armed Forces Council
AMSC	Advanced Military Studies Course
AOR	Area of Responsibility
ATAC	Action Team for Administrative Change
ATI	*Access to Information Act*
BOG	Board of Governors
CANFORGEN	Canadian Forces General Order
CAR	Canadian Airborne Regiment
CAS	Chief of the Air Staff
CCSFOR	Canadian Contingent Stabilization Force
CDS	Chief of the Defence Staff
CF	Canadian Forces
CFAO	*Canadian Forces Administrative Order*
CFCDP	Canadian Forces Career Development Program
CFCSC	Canadian Forces Command and Staff College
CFNIS	Canadian Forces National Investigation Service
CFOM	*Canadian Forces Operations Manual*
CFP	Canadian Forces Publication
CFPAS	Canadian Forces Personnel Appraisal System
CFPM	Canadian Forces Provost Marshal
CFRETS	Canadian Forces Recruiting, Education and Training System
CFTDC	Canadian Forces Training Development Centre
CHAP	Cadet Harassment and Abuse Prevention
CHRC	Canadian Human Rights Commission

CIC	Cadet Instructor Cadre
CLS	Chief of the Land Staff
CO	Commanding Officer
CRB	Career Review Board
CRS	Chief of Review Services
CSIS	Canadian Security and Intelligence Service
CSW	Contingency Support Wing
DAOD	Defence Administrative Order and Directive
DCDS	Deputy Chief of the Defence Staff
DGMC	Director General (Military Careers)
DGPA	Director General (Public Affairs)
DGRC	Director General (Reserves and Cadets)
DGSP	Director General (Strategic Planning)
DIN	Defence Information Network
DISO	Defence Information Services Organization
DM	Deputy Minister
DND	Department of National Defence
DP	Development Period
DPM	Deputy Provost Marshal
DRET	Directorate of Recruiting, Education and Training
ECS	Environmental Chiefs of Staff
HQ	Headquarters
HR	Human Resources
IE	Intermediate Engagement
JAG	Judge Advocate General
JFHQ	Joint Force Headquarters
JTF2	Joint Task Force 2
KFOR	Kosovo Force
LFC	Land Force Command

LFCSC	Land Force Command and Staff College
LFRR	Land Force Reserve Restructure
LOAC	Law of Armed Conflict
MCC	Military Career Counsellor
MCDV	Maritime Coastal Defence Vessel
MND	Minister of National Defence
MOC	Military Occupation Classification
MOU	Memorandum of Understanding
MP	Military Police
MPCC	Military Police Complaints Commission
NATO	North Atlantic Treaty Organization
NCO/NCM	Non-Commissioned Officers/Non-Commissioned Members
NDA	*National Defence Act*
NDHQ	National Defence Headquarters
NDOC	National Defence Operations Centre
NEO	New Entry Officer
NGO	Non Governmental Organization
NIS	National Investigation Service
NJTP	National Joint Training Plan
NSSC	National Security Studies Course
OGS	Officer General Specifications
OP	Operation
OPDP	Officer Professional Development Program
PD	Professional Development
PDC	Professional Development Council
PER	Personnel Evaluation Report
QOL	Quality of Life
QOLPMO	Quality of Life Project Management Office
QOLSRB	Quality of Life Senior Review Board

QR&O	*Queen's Regulations and Orders*
RETP	Reserve Entry Training Program
RIIP	Reserve Integrated Information Project
RMC	Royal Military College
ROE	Rules of Engagement
ROTP	Regular Officer Training Plan
SCONDVA	Standing Committee on National Defence and Veterans Affairs
SCRR	Special Commission on the Restructuring of the Reserves
SFOR	Stabilization Force
SIU	Special Investigation Unit
SIV	Staff Inspection Visits
SHARP	Standard for Harassment and Racism Prevention
SOM	Somalia Commission of Inquiry
TAE	Total Army Establishment
TOS	Terms of Service
UCS	Universal Classification Standard
UK	United Kingdom
UN	United Nations
VCDS	Vice Chief of the Defence Staff

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MINISTER'S MONITORING COMMITTEE ON CHANGE IN THE DEPARTMENT OF NATIONAL DEFENCE AND THE CANADIAN FORCES

Chairman
Hon. John A. Fraser

Committee Members

Dr. David J. Bercuson
Mr. D. Bev Dewar
BGen Sheila A. Hellstrom (Ret'd)
Ms. Carole M. Lafrance
Mr. Laurier L. LaPierre
Mr. John J. Rankin

The *Committee* wishes to recognize the valuable contribution made to its work by the following individuals:

Executive Director	Sheila-Marie Cook
Director of Research	Dr. Peter M. Archambault
Research Analysts	Linda Cameron Rhonda Cameron Isabelle Dumas
Information Management	Dennis Brook
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